

SECTION 32 EVALUATION

09-Apri-2020

PRIVATE PLAN CHANGE REQUEST

33-37 GEORGE STREET, 13-15 MORGAN STREET AND 10 CLAYTON STREET, NEWMARKET



PREPARED FOR:
SOUTH PARK CORPORATION



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1.0 THE APPLICANT AND PROPERTY DETAILS

To: Auckland Council

Site Address: 33-37 George St, 13-15 Morgan St and 10

Clayton St, Newmarket

Applicant's Name: Newmarket Holdings Development Limited

Partnership

Address for Service: Barker & Associates Ltd

PO Box 1986 Shortland Street Auckland 1140

Attention: Rebecca Sanders and Evita Key

Legal Description: Refer to Certificates of Title as **Appendix 2**

Site Area: 7,873m²

AUP Zoning: Business - Mixed Use

Overlays: Natural Heritage: Regionally Significant

Volcanic Viewshaft and Height Sensitive Area

Overlay

Existing Controls: Height Variation Control - Newmarket, 27m

Centre Fringe Office Control

Macroinvertebrate Community Index - Urban

Additional Limitations: Overland flow paths and flood plain

Locality Diagram: Refer to Figure 1

Brief Description of Proposal: Private Plan Change request to introduce the

George Street Precinct to provide for a comprehensively designed and integrated mixed use development with high quality, publicly accessible spaces that enhance connectivity between Newmarket and

Pukekawa/Auckland Domain.

2.0 EXECUTIVE SUMMARY

Newmarket Holdings Development Limited Partnership (NHDLP) is applying to Auckland Council for a Plan Change to the Auckland Unitary Plan - Operative in Part (AUP) to apply a new precinct over 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street. The purpose of the precinct is to provide for a comprehensively designed and integrated mixed use development with high quality, publicly accessible spaces that formalise and protect pedestrian connectivity between Newmarket and Pukekawa/Auckland Domain. The proposed precinct provisions will enable greater building height while securing a publicly accessible plaza and high-quality pedestrian connections through the Plan Change area.

The Plan Change responds to the specific characteristics of the Plan Change area, the future of the wider Newmarket area and gives effect to the relevant planning documents. In particular:

- The Plan Change is in keeping with the outcomes sought in the Auckland Plan and Regional Policy Statement as it enables the efficient use of the Plan Change area and promotes quality intensification within a location which is accessible to public transport, open space and centres;
- The additional height enabled in the Precinct responds to the presence of volcanic viewshafts and is generally consistent with what can be achieved in the wider Newmarket area. Supporting evidence has indicated that the height enabled by the Plan Change will be viewed in the context of Newmarket Metropolitan Centre to the south, the surrounding commercial environment as well as the residential urban fabric and will not appear incongruous in this setting;
- The proposed carparking limit recognises the excellent accessibility of the Plan Change area through public transport and active transport modes, contributing to travel behaviour change;
- The Plan Change enables the existing internal pedestrian route from Clayton Street to George Street to be formalised, contributing to an enhanced pedestrian network in northern Newmarket;
- The Plan Change introduces specific provisions which respond to the unique characteristics of the site and ensures that the existing and future development at 8 Clayton Street, 33 Broadway, 2 Alma Street, 47 George Street and 39 George Street will have a reasonable level of amenity not currently provided for under the Business - Mixed Use zone;
- An evaluation in accordance with Section 32 of the Resource Management Act 1991 (RMA) has been undertaken and concludes that the proposed precinct will more effectively and efficiently achieve the objectives of the AUP, and the purpose of the RMA, than the current planning provisions that apply to the Plan Change area.

The detailed analysis completed as part of this Plan Change demonstrates that the George Street Precinct is most optimal to achieve the objectives of the AUP and the purpose of the RMA, in this location.

3.0 INTRODUCTION

3.1 BACKGROUND

3.1.1 The Applicant

NHDLP is applying to Auckland Council for a Plan Change to the AUP to apply a new precinct over 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street. The purpose of the precinct is to provide for a comprehensively designed mixed use development with high quality, publicly accessible spaces that protect and formalise pedestrian connectivity between Newmarket and Pukekawa/Auckland Domain. The proposed precinct provisions will enable greater building height while securing a publicly accessible plaza and high-quality pedestrian connections through the Plan Change area.

NHDLP has been successfully developing properties for the past 30+ years and have completed over 60 projects to date, predominantly in the industrial sector. More recent developments include stand-alone houses, terraced dwellings and apartments at Kensington Park in Orewa and masterplanning of Market Cove, a 14 hectare site in Favona expected to accommodate 1400 terrace houses and apartments together with commercial activities and public open spaces.

NHDLP envisages that the Plan Change will provide a quality mixed use development in Newmarket which integrates with the surrounding environment and provides for a greater intensity of development that takes advantage of the Plan Change areas proximity to amenities including public transport and Pukekawa/Auckland Domain. The Plan Change has the potential to create a new urban neighbourhood with a mix of uses to support a growing working and residential community in the northern part of Newmarket and the southern part of Parnell.

3.1.2 The Pre-Application Process

The proposed George Street precinct provisions are the result of a pre-application process that began with Auckland Council in May 2017 with an initial planning and urban design review of the Plan Change area. As a result of the Plan Change areas relatively large site size being in single ownership, the highly accessible location and generally being unconstrained by the volcanic viewshafts that limit development intensity in other areas of Newmarket, the review supported greater height. The greater height was generally supported by the Council planning and urban design

staff involved at the time subject to any development exhibiting an overall high quality of design and providing a pedestrian route between Clayton and George Streets as well as a publicly accessible plaza.

Following this input, an initial concept scheme was developed by the project architects Warren and Mahoney. This concept scheme proposed a podium base over the site to address the level difference between George Street and Clayton Street. From the podium base four towers were proposed of various heights with the tallest being in the south-east corner. All buildings were accommodated under the volcanic viewshaft that passes over the western portion of the Plan Change area.

This concept also incorporated pedestrian connections between George Street, Clayton Street and Morgan Street, and a centrally positioned, publicly accessible plaza on top of the podium. The pedestrian connection up to the podium level was in the form of stairs and escalators.

A number of further meetings were then held with Auckland Council staff which led to refinement of the concept design. In particular the building footprints were reduced to ensure buildings were of an elegant and slim profile.

In January 2019 a refined iteration of a concept scheme for the site was presented to the Auckland Urban Design Panel ('AUDP'). The AUDP provided recommendations on the Warren and Mahoney concept. These recommendations are summarised within paragraph 4.3 of the Urban Design Report prepared by Matt Riley of Barker and Associates (refer **Appendix 5**).

Following the AUDP, a decision was made, to pursue a Plan Change incorporating the AUDP recommendations as well as a fuller suite of desirable urban design outcomes, as opposed to a resource consent application. The reasons for this decision can be summarised as follows:

- The current Mixed Use zoning and Height Variation Control does not make the
 most of the attributes of the site. Specifically, the size, the location, the
 proximity to transport infrastructure and Newmarket as well as a wide range
 and number of other activities and facilities;
- There is a demand for new housing in Auckland and employment opportunities in highly accessible locations such as Newmarket and the current planning framework that applies to the site does not enable the most efficient use of land for this purpose;
- A change to the plan to incorporate a precinct will allow a more nuanced set of plan provisions that ensure future development utilises the site efficiently while increasing pedestrian connectivity and delivering urban design outcomes specific to the site and locality; and

The concept design is for a development of a significant scale and a change to the plan allows the flexibility for this scheme to be delivered over time rather than in the five year resource consent timeframe. The final concept design by Warren and Mahoney is included within **Appendix 4** to this report. The precinct provisions incorporate many elements of the conceptual architectural plans prepared by Warren and Mahoney Architects such as the north-south pedestrian link, central plaza, and differing height areas. The concept design is also generally consistent with the height and bulk provisions proposed. The proposed precinct provisions however, have been drafted to ensure that they do not prescribe or lead to a built outcome that only anticipates the concept design. A range of building permutations are enabled by the provisions, provided that they achieve the urban design outcomes the provisions encapsulate.

3.2 ACCEPTING THE PLAN CHANGE REQUEST (CLAUSE 25)

The Council has discretion to accept or reject a Plan Change request in accordance with Clause 25 of Schedule 1 of the RMA, subject to the matters set out in Clause 25(4)(a)-(e). Given that the AUP has now been operative for more than two years, the Council is able to reject the Plan Change request only on the following grounds:

- The Plan Change request is frivolous or vexatious (clause 25(4)(a));
- The Plan Change request is not in accordance with sound resource management practice (clause 25(4)(c));
- The Plan Change request would make the plan inconsistent with Part 5 Standards, Policy Statements and Plans (clause 25(4)(d).

In relation to (a), considerable technical analysis has been undertaken to inform the Plan Change, which is detailed in the report below. For this reason, the proposal cannot be described as frivolous or vexatious.

'Sound resource management practice' is not a defined term under the RMA, however, previous case law suggests that the timing and substance of the Plan Change are relevant considerations. This requires detailed and nuanced analysis of the proposal that recognises the context of the Plan Change area and its specific planning issues.

In this context, the Plan Change is considered to be in accordance with sound resource management practice as the proposed George Street Precinct is consistent with the outcomes sought in the Auckland Plan and Regional Policy Statement in relation to intensifying existing urban areas serviced by centres and public transport to achieve a quality compact urban form. The precinct seeks to enable quality intensification within a location which is accessible to public transport, open space and adjacent to the Newmarket Metropolitan Centre. It also seeks to provide pedestrian connectivity between Newmarket and Pukekawa/Auckland Domain, and

promote public transport use and active transport modes. Furthermore, all necessary statutory requirements have been met, including an evaluation in accordance with S32¹ with supporting evidence.

In relation to (c), the Plan Change is considered to be consistent with the sustainable management purpose of the RMA as detailed throughout this report.

Under Clause 25(3) the Council has the discretion to process a request for a Plan Change as if it were an application for a resource consent. In this instance it is not appropriate to process this Plan Change request as if it were a resource consent. As previously outlined in Section 3.1.2 a change to the plan is required to enable the efficient use of land to increase housing supply and employment opportunities in a highly accessible location, while delivering public spaces, pedestrian connections and urban design outcomes within northern Newmarket.

On this basis, the merits of the proposal should be allowed to be considered through the standard Schedule 1 process.

4.0 SITE LOCATION AND DESCRIPTION

4.1 SITE DESCRIPTION

The Plan Change area is approximately 7,873m² and is located within Newmarket, to the north of the Newmarket Metropolitan Centre and directly south to the Auckland Domain. The Plan Change area is an irregularly shaped block that is bounded George Street to the north, Morgan Street to the west, and Clayton Street to the south. (see **Figure 1**).



¹S32 of the RMA

Figure 1: Aerial map showing the location of the Plan Change area (Source: Auckland Council Geomaps)

The Plan Change area is located within the Business - Mixed Use zone (see **Figure 2**) and it is subject to the Height Variation Control allowing the development of buildings up to 27m in height.



Figure 2: AUP zoning with the site outlined in red (Source: Auckland Council Geomaps)

There are no known heritage items/places, significant indigenous habitat or vegetation on the site. Auckland Council's GeoMaps indicates that the site has one large overland flow path (3ha catchment) traversing from the eastern boundary down to the south and two smaller overland flow paths, as well as a flood plain located to the south. These are shown in **Figure 1** above.

The Plan Change area currently contains a collection of older, low-rise industrial and commercial buildings with a variety of commercial leases. There is also a small area of at-grade parking along the George Street frontage, with a setback of approximately 8m to the building and a setback of approximately 5m along the western side of Clayton Street used for carparking.

The Plan Change area presents several design challenges for redevelopment. A steep driveway runs through the site providing access from George Street to Clayton Street. This driveway is highly utilised by pedestrians moving between Pukekawa/Auckland Domain and Newmarket forming an informal extension to the north/south Newmarket laneway network, which provides an alternative pedestrian route to the main shopping thoroughfare along Broadway.

At the south-eastern end of the Plan Change area is an area used as a driveway by the adjoining lot to the east, 47 George Street. This part of the Plan Change area is subject to an access easement in favour of 47 George Street.

The north-eastern part of the site is also subject to an easement. This easement is in favour of the adjoining lot to the east, 39 George Street. The easement secures access over this part of the site to 39 George Street and a right to light.

The Plan Change area has a fairly significant level change, sloping in a northwest-southeast direction from 68m above sea level (ASL) in the north-western corner along George Street to 55m ASL at the southern extent of the Plan Change area in Clayton Street. The Plan Change area is an internalised block with very little street frontage. The George Street frontage is 37m, the Clayton Street frontage is 26m and the Morgan Street frontage is 25m.

4.2 SURROUNDING AREA / LOCAL CONTEXT

The Plan Change area is located in northern Newmarket, adjacent to the northern edge of the Metropolitan Centre zone.

The Business - Metropolitan Centre zone has a height limit of 72m however, most of Newmarket is covered by Volcanic Viewshafts restricting the height to 25-55m.

The Plan Change area is contained within the block bounded by Morgan Street, George Street, Broadway and Carlton Gore Road. This block is zoned Business-Mixed Use and subject to the Height Variation Control of 27m. This is one of the few blocks in Newmarket that is largely free of the Volcanic Viewshaft overlay, except for the western portion of the block (see **Figure 3**).



Figure 3: AUP Volcanic Viewshafts over Newmarket (Source: Auckland Council Geomaps)

In terms of land use and built form in the immediate locality, the southern side of George Street is largely residential with a mix of apartment and terrace development. George Street has an open feel towards the north-western end due to an open and vegetated interface with Pukekawa/Auckland Domain, opposite the Plan Change area. There is a good level of street and front yard landscaping, often accompanied by the setback of buildings.

Towards the eastern end of George Street, there are low-rise office park type buildings on the southern side and retail and hospitality in the Foundation on George complex on the northern side of the street. The Foundation for the Blind, Parnell Library and Community Centre, Birthcare Maternity Hospital and a number of medical facilities are located within this block. ACG Parnell College is located on the corner of George Street and Titoki Street to the north-east of the Plan Change area and the ACG Parnell Primary School is located immediately to the east and north of the Plan Change area.

The western end of George Street comprises a small funeral home located in a single level villa immediately adjacent to the Plan Change area, a three-storey residential apartment block on the corner of Morgan Street and the 8-level Parkwood Apartments building on the western side of Morgan Street.

Clayton Street has a low quality pedestrian amenity due to narrow or no footpaths and the vehicular dominated characteristics. Activities include retail in re-purposed buildings, warehousing, automotive, fitness, and well-being.

Adjoining the southern boundary of the Plan Change area is a 5-level apartment building at 8 Clayton Street. The upper levels of this building have been built 2.4m from its northern boundary with balconies directly overlooking the Plan Change area (see **Figure 4**). Future development within the Mixed Use zone is not required to be set back from this boundary however, this will adversely impact the existing apartment development.



Figure 4: Relationship between 8 Clayton Street and Plan Change area (Source: Survey Worx survey)

The Mercury Energy head office building, on Alma Street immediately to the south of the Plan Change area, is a contemporary 7-level building occupying the large and prominent site.

Carlton Gore Road is characterised by its predominantly business and commercial attributes with 4-5 level office blocks particularly on the southern side of the road. The northern side is a mix of 4-level residential apartments with retail and medical activities occupying the ground floor. Retail and food offerings are prevalent towards the Broadway end of the street.

The Plan Change area is located less than 200m metres from Broadway, which is a Frequent Transit Network. It is also within a ten minute walking catchment of the Grafton Train Station. The Plan Change area is within walking distance to Newmarket Metropolitan Centre, the University of Auckland Grafton campus, St Peters College, Auckland Hospital and a range of other social amenities.

The subject site, at over 7,500m² in size, is one of a few larger landholdings in the wider Newmarket area, that due to their size and location, are likely to add significantly to the activity and density of land use in Newmarket over the next ten years. Other larger redevelopment sites within the wider Newmarket area include:

- the University of Auckland Newmarket campus which is a 5.2 hectare site on the north side of Khyber Pass Road which is likely to be developed over the next ten years;
- 277 Broadway shopping centre which is a 4 hectare site currently being redeveloped in southern Newmarket; and
- 66a and 80 Broadway, a 1.4 hectare development site occupied by The Warehouse and Noel Leeming. Redevelopment plans for this site have been signalled in the media for some time.²

Alongside these larger sites, there has been a visible increase in the wider Newmarket area of the development of smaller to mid-size sites in the last five year period. A noticeable trend is the development of apartment buildings on sites around Newmarket Centre. These include the Hypatia apartments at 246 Khyber Pass Road, The James apartments at 371 Khyber Pass Road, the Nuffield Residences at 85 Nuffield Street, and Ramada Newmarket at 39-43 Gillies Avenue.

5.0 DESCRIPTION OF THE PLAN CHANGE REQUEST

5.1 DESCRIPTION OF THE PROPOSAL

This Plan Change seeks to apply the 'George Street Precinct' to the Plan Change area, which will alter the underlying Business - Mixed Use zone.

The Plan Change seeks to delete the Height Variation Control that applies to the Plan Change area.

5.1.1 Spatial Extent of the George Street Precinct

The spatial extent of the George Street Precinct has been limited to the applicant's landholding rather than applying the precinct to the wider block. The applicant's landholding has particular characteristics that enable specific outcomes to be achieved, including 'internalising' the effects of greater height towards the centre of the surrounding block and capitalising on the site's position to achieve greater connectivity between Newmarket and the Auckland Domain. Other sites in the wider block do not have these characteristics and therefore do not offer these, or similar, social and environmental benefits that would justify a bespoke precinct being applied to them.

Furthermore, the applicant's landholding is in single ownership and can be developed in an integrated and comprehensive way. The surrounding sites are in fragmented

² Refer for example, to the 4 June 2019 New Zealand Herald article, which references a masterplanned mixed used development on the site, including apartments, a hotel and retail spaces: https://www.nzherald.co.nz/business/news/article.cfm?c id=3&objectid=12235031

ownership with many of the larger sites already developed with large commercial buildings.

5.1.2 George Street Precinct Provisions

A package of provisions, including policies, activity standards, development standards, and associated matters of discretion and assessment criteria are proposed to achieve the objectives of the precinct and the wider AUP. The full set of objectives and provisions are set out within **Appendix 1** however a summary is provided below.

5.1.3 Objectives and Policies

The purpose of the precinct is to provide for a comprehensively designed and integrated mixed use development with high quality, publicly accessible spaces that provide pedestrian connectivity and wayfinding between Newmarket and the Auckland Domain.

The George Street Precinct includes the following objectives:

- (1) The George Street Precinct is comprehensively developed as an attractive, and vibrant mixed use precinct with a high quality built form and high amenity publicly accessible spaces, that create a community focal point for future residents and the wider neighbourhood.
- (2) A greater scale of height is enabled within a location that is highly accessible to public transport and other amenities, while ensuring buildings do not dominate the skyline when viewed from around the city, and the visual prominence of Auckland Museum is maintained.
- (3) A range of retail and service activities are anticipated to support residential and worker amenity within the precinct and surrounding area.
- (4) Buildings above the podium level are designed to achieve a form that contributes to a feeling of spaciousness when viewed from the surrounding streets and area, and from within the development.
- (5) The George Street Precinct promotes pedestrian safety and connectivity through the area, particularly between Newmarket and the Auckland Domain.

The George Street Precinct includes the following policies:

- (1) Encourage the location, bulk, outlook, access to, and servicing of buildings to be planned and designed on a comprehensive and integrated basis, rather than on an ad hoc individual building basis.
- (2) Encourage a mixture of building heights within the George Street precinct through providing for lower building height adjacent to the interface with Auckland Domain (Height Area B) and providing for taller building heights away from the George Street interface, where potential adverse visual effects can be managed (Height Areas A and C).

- (3) Promote high-quality architecture and urban design that enhances the relationship of buildings and open space and that responds to the topographical and edge conditions of the precinct through the provision of a podium generally level with George Street.
- (4) Require a publicly accessible space at podium level that creates a legible pedestrian through-route between George Street and Clayton street, that is predominately open to the sky, enhanced by landscaping, and ensures space for a plaza between the adjoining buildings.
- (5) Require a slender building form that creates a sense of spaciousness between buildings above the podium level, maintains sky views from the publicly accessible spaces within the precinct, and where upper levels are set back from existing and future development on adjoining sites.
- (6) Require safe and attractive pedestrian connections and a pedestrian plaza to be provided adjoining each stage of development to ensure a high level of amenity and enhance walking links to the surrounding area,
- (7) Require activities and built form which positively contributes to the maintenance of pedestrian interest and vitality at the interface of pedestrian connections and the pedestrian plaza.
- (8) Require vehicle access to the precinct to primarily utilise Morgan Street and be designed to prioritise pedestrian safety and not detract from the amenity of the pedestrian connections through the precinct.
- (9) Limit the supply of on-site parking to recognise the accessibility of the George Street Precinct to public transport and Newmarket Metropolitan Centre.

5.1.4 Land Use

It is proposed to make some land uses that are provided for within the underlying Mixed Use zone more restrictive within the George Street Precinct. This is where a land use is not consistent with the objectives of the precinct which seek to provide a pedestrian orientated development. In particular drive-through restaurants, service stations, manufacturing and warehousing are proposed to be discretionary activities.

5.1.5 Quality Pedestrian Orientated Development

Resource consent is required for new buildings and alterations to existing buildings within the Plan Change area as a restricted discretionary activity.

Provision IX.8.2(1) of the Plan Change proposes a number of tailored assessment criteria to provide further guidance to both Council and an applicant on how building design and external appearance should be managed to ensure development integrates with the surrounding development and landscape, and demonstrates an overall design strategy. The tailored criteria also provide guidance to both Council

and an applicant regarding the design of pedestrian connections, the public plaza and the design of vehicle access, to ensure pedestrian safety and amenity is prioritised.

5.1.6 Building Height

Measuring Height

Height is measured in the George Street Precinct through the use of both a Reduced Level (the 'George Street Datum') and the Plan definition of height (rolling height method or average height). This combination of methods is an effective method to achieve high quality built form outcomes, responding to the characteristics of the Plan Change area as described below.

It is noted that the use of an RL for measuring height has precedent in the AUP in precincts such as I328 Orakei Point Precinct. The combination of using both an RL and the AUP definition of height also has AUP precedent in I539 Smales Farm 2 Precinct and H25 Special Purpose — Healthcare Facility and Hospital Zone in regard to the Auckland Hospital (H25.6.1.1).

The George Street Datum, which is set at a point along the George Street frontage (RL65.7) is the means for measuring height over most of the precinct. The Plan Change area has a steep topography. Use of a datum point for measuring height over steeply sloping ground gives a high level of certainty about what the maximum enabled height is.

Use of the AUP's standard rolling height method as the primary means to measure height across the precinct would result in a higher degree of uncertainty as to what the permitted height is, as it would vary markedly over the precinct, mirroring the changes in ground level height. It could also result in poor built form outcomes, with building designs seeking to use all allowable building envelope, including 'awkward' areas where the maximum permitted height falls steeply with the underlying land. This would result in buildings with upper floors and roof profiles of unusual shapes. Use of the AUP's average ground level method, where height is measured as the vertical distance between the highest part of the building or structure and the average ground level, being the average level of the ground measured at 1m intervals at the external foundations of the building walls or the base of the structure, can result in buildings being allowed that exceed the rolling height method up to 2m. This means that the total height outcome is uncertain. In contrast, the use of a datum addresses this issue by capping height at a level horizontal plane, reducing the likelihood of awkward tops to buildings and total heights up to 2m greater than anticipated.

The use of the AUP standard definition of height is limited to a single precinct standard: IX.6.8 'Setback from neighbouring sites.' Clause (3) of this standard requires a setback of at least 6m of any part of a building greater in height than 27m

above ground level from any side or rear precinct boundary. The application of this clause is further limited to the western part of the precinct (noting that Height Area A has its own bespoke setback requirement, using the George Street Datum, under IX.6.8(1)).

Use of the AUP standard definition of height here is consistent with the same required setback of 6m from 27m height in standard H13.6.4 Maximum tower dimension and tower separation, from the precinct's underlying Mixed Use zone. It also recognises that actual height above ground level, where heights of the quantum of 27m or more are enabled, is the appropriate measurement tool to manage effects to adjoining sites such as daylight.

Height Strategy

The Precinct provisions provide a coherent height strategy in response to the locational attributes of the site. The Precinct has four 'Height Areas' see Figure 5, with heights all measured from the RL65.7 George Street datum³:

- Height Area A, at the south-east corner of the site, enables the greatest height within the Precinct – at 55m above the George Street datum (approximately 64.6m in height above grade);
- Height Area B, adjoining the George Street frontage, has a maximum height of 29m relative to the George Street datum, marginally above the 27m permitted on adjoining sites through the Height Variation Control;
- Height Area C is at the south-west corner of the site, with a frontage to Morgan Street and 6m setback from Clayton Street. It permits a maximum height of 35m above the George Street datum;
- Height Area D applies to an area which extends from the site's George Street frontage through to Clayton Street. The required pedestrian plaza and northsouth pedestrian connection are within this Area. The maximum permitted height in this Area, relative to the George Street datum, is 0m.⁴ However, there are exceptions built in to allow for structures and small buildings such as 1 storey café kiosks.

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³ Heights fall west to east across the George Street frontage from RL68 to approximately RL65.

⁴ This is with the exception of amenity structures and features needed for use of the space as a pedestrian area, including limited (250m² maximum GFA) buildings at no more than 5m height above the George Street datum, providing some flexibility for possible cafes/food and beverage operators in anticipated 'pavilion' type buildings in this area.



Figure 5: Height areas within the George Street Precinct

5.1.7 Building Setbacks from Adjoining Sites

The precinct requires buildings to be setback from the boundary to manage visual dominance effects on adjoining sites. The extent of setback required has been determined based on the characteristics of the boundary, what is provided for in the underlying Mixed Use zone and the adjoining development.

Height Area A

Height Area A provides for buildings of the greatest height within the George Street Precinct and therefore will potentially have greater visual dominance effects on neighbouring sites than buildings in the other height areas. To manage these effects the Plan Change proposes a greater setback at lower levels than that provided for within the underlying Mixed Use zone to create greater separation between

buildings. The setback proposed requires buildings within Height Area A greater than height than 5m above the George Street Datum must be located at least 6m from the precinct boundaries.

Height Area C - Boundary with 4 Clayton Street

As previously discussed within **Section 4.2** and illustrated in **Figure 4** the upper levels of the existing apartment building at 8 Clayton Street have been built 2.4m from its northern boundary with balconies directly overlooking the Plan Change area. Future development within the Mixed Use zone is not required to be set back from this boundary however, this has the potential to adversely impact the amenity of the occupiers and owners of the existing apartment development. Therefore, the proposed setback standard requires the part of a building greater than 4m below the George Street Datum to be located at least 4m from the precinct boundary with 8 Clayton Street to manage visual dominance effects to occupiers and owners of this apartment building.

Height Area B and C Boundary with Morgan Street

The maximum height within Height Area B and Height Area C is not significantly higher than what can be built under the current AUP provisions (Heights range from 29m – 35m above ground level at George Street. Therefore, it is proposed to retain the setback control from the underlying Mixed Use zone along this precinct boundary. This setback control is taken from ground level rather than the George Street Datum.

Height Area B Road Boundary

Acknowledging the existing building setbacks and landscaped front yards of properties fronting George Street, to bring the 'green' of Pukekawa/ Auckland Domain into the Plan Change area and creating a soft, green edge to George Street, buildings will be required to be set back at least 4m from the George Street boundary.

5.1.8 Maximum Tower Dimension and Separation

To ensure the additional height results in slender buildings in a spacious setting precinct standard IX6.7 'Maximum tower dimension and tower separation' replaces the standard with the same title in the Business-Mixed Use zone (H13.6.4). The Precinct standard retains key elements of the zone standard, with some amendments and additions including a 55m maximum plan dimension applying from 5m above the George Street Datum and a 10m minimum separation between any buildings between Height Areas B and C that are 5m above the George Street Datum.

5.1.9 Pedestrian Connections and Public Plaza

A key component of the precinct is to create a strong north-south, publicly accessible link between George Street and Clayton Street and increasing permeability between Pukekawa/ Auckland Domain to Newmarket, with secondary links through to Morgan Street. Development will be required to provide a centrally located plaza to provide a community focal point with a unique sense of place. Any scheme for the site that does not incorporate the pedestrian connections or the pedestrian plaza will be a non-complying activity.

To ensure the plaza and pedestrian connections are vibrant and inviting spaces, the ground floor use in the area marked as "active edge' must provide 'active uses', i.e. commercial not residential. In addition, the assessment criterion IX.8.2(1)(c) provides further guidance on how these edges should be designed to activate the plaza and pedestrian connections.

The provision of the required pedestrian connection and pedestrian plaza are required to be delivered before a building over 5m in height, above the George Street Datum, is occupied within the adjacent height area. This allows some flexibility for one storey temporary buildings, i.e. these may need to be utilised during construction. Any proposed delay in the staging of this delivery is a restricted discretionary activity.

5.1.10 Vehicle Access

To ensure that the George Street Precinct is a pedestrian orientated development vehicle access is proposed to be consolidated to a primary entrance on Morgan Street with secondary vehicle access on George and Clayton Streets. The provision of a vehicle access is a restricted discretionary activity with matters of discretion/assessment criteria to ensure development reflects this design approach to vehicle access and to ensure that pedestrian safety is prioritised. In particular the assessment criteria seek to ensure that the vehicle access on Clayton Street is designed to limit the desirability to use this entrance, for example only enabling one way vehicle movements.

5.1.11 Carparking

In recognition of the accessibility of the George Street Precinct to public transport and Newmarket Metropolitan Centre carparking is limited within the precinct to a total of 500 car parks. This is 95 car parks less than what can currently be provided within a mixed use development on the site that utilises the AUP controls.

To infringe this control is a restricted discretionary activity. This approach is consistent with the activity status for infringing parking maximums in E27 Transport. Consistent matters for discretion and assessment criteria have also been applied.

5.1.12 Notification Provisions

Applications for new buildings and alterations to existing buildings that comply with height, height to boundary, building setbacks and yards are proposed to be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991. Likewise, applications for new development that infringe standards that manage amenity internal to the site or the staged delivery of plaza and pedestrian connections are also proposed to be processed on a non-notified basis. This approach to notification is consistent with the approach taken in the residential zones and provides an appropriate balance in terms of reducing risks to applicants (time and costs associated with uncertainty around notification) and providing for appropriate opportunities for public participation where an application seeks to infringe the core building envelope standards.

5.2 PURPOSE AND REASONS FOR THE PLAN CHANGE

Clause 22(1) of the RMA requires that a Plan Change request explains the purpose of, and reasons for the proposed plan change.

The purpose of the Plan Change, or the objective of the Plan Change, is to deliver a comprehensively designed mixed use development that enables greater height in a highly accessible locations. The Plan Change also seeks to promote public transport and active transport modes through limiting carparking and utilising the podium to deliver high quality publicly accessible spaces that protect and formalise the pedestrian route between Newmarket and Pukekawa /Auckland Domain.

The reason for this Plan Change is that the applicant, who is the landowner of the Plan Change area, intends to develop the site in a manner consistent with the proposed precinct, which this Plan Change request will enable.

The report provides an assessment of effects of the Plan Change and an evaluation of the Plan Change prepared in accordance with Section 32 of the RMA. Supporting expert assessment reports are appended to the report. The evaluation of Plan Change concludes that these amendments are the most appropriate way to achieve the purpose of the RMA.

6.0 POLICY FRAMEWORK

6.1 NATIONAL POLICY DOCUMENTS

6.1.1 National Policy Statement on Urban Development Capacity

The National Policy Statement on Urban Development Capacity 2016 (NPS on Urban Development Capacity) came into effect on 1 December 2016. It recognises the national significance of urban environments and provides direction to decision-makers on planning for urban environments. The NPS on Urban Development Capacity seeks to ensure there is sufficient development capacity for housing and business with a suite of objectives and policies to guide decision-making in urban areas. There is an emphasis on integrated planning of land use, development and infrastructure provision.

Policy PA1 sets out housing and business land development capacity that local authorities are required to provide in the short, medium and long-term.

If developed as a predominantly residential development the gross floor area (GFA) Study undertaken by Warren and Mahoney (refer **Appendix 4**) shows that the Plan Change provides for approximately 10,000m² more floor area for residential use and therefore an increase in residential capacity in this location. The Warren and Mahoney concept design for the site is for a predominantly residential development to take advantage of a market desirable city fringe location, the views and the proximity to Pukekawa/Auckland Domain, and Newmarket. The Warren and Mahoney concept design will result in 324 apartments. Therefore, the Plan Change will enable an increase in housing supply to meet demand as a result of population growth.

6.1.2 Proposed National Policy Statement on Urban Development

In August 2019 the Ministry for the Environment released the proposed National Policy Statement on Urban Development (NPS – Urban Development). The NPS – Urban Development will replace the NPS on Urban Development Capacity. The NPS – Urban Development contains objectives and policies that require councils to carry out long term planning to accommodate growth and ensure well-functioning cities. There is an emphasis on allowing for growth 'up' and 'out' in a way that contributes to a quality urban environment, and to ensure their rules do not necessarily constrain growth. Councils must also enable higher density development in areas close to employment, amenity, infrastructure and demand. There is also a proposal to remove minimum car parking requirements.

The proposed George Street Precinct is completely in keeping with the proposed policy direction of the NPS – Urban Development. As discussed in 6.1.1 the precinct

will enable a greater intensity of development and increased height in a location that is highly accessible and market desirable. It is also proposed to limit car parking to acknowledge the precincts access to active and public transport modes.

6.1.3 National Planning Standards

The National Planning Standards came into effect on 5 April 2019. These codify the structure, mapping, definitions and noise/vibration metrics of District, Regional and Unitary Plans. Auckland Council has 10 years to implement these changes. This Plan Change applies the standard AUP precinct template to the Plan Change area, which is broadly consistent with the planning standards.

6.2 COUNCIL STRATEGIC PLANS

6.2.1 Auckland Plan 2050

The Auckland Plan is the key strategic document which sets the Council's social, economic, environmental and cultural objectives. A key component of the Auckland Plan is the Development Strategy which sets out how future growth will be accommodated up to 2050. The Auckland Plan focusses on a quality compact approach with future development focused within Auckland's urban footprint, meaning most growth will occur in existing urban areas.

In terms of the form of development, the Auckland Plan takes a quality compact approach to growth and development. The Auckland Plan defines this as⁵:

- a) Most development occurs in areas that are easily accessible by public transport, walking and cycling;
- Most development is within reasonable walking distance of services and facilities including centres, community facilities, employment opportunities and open space;
- c) Future development maximises efficient use of land; and
- d) Delivery of necessary infrastructure is coordinated to support growth in the right place at the right time.

Achieving a quality compact approach for future development is twofold. There needs to be sufficient capacity for growth across Auckland and good design needs to be embedded in all development.

The Plan Change area is within a five-minute walk of Newmarket Metropolitan Centre, Pukekawa/Auckland Domain, and is exceptionally well serviced by public transport. It also is in close walking distance to a range of social amenities such as

⁵ Auckland Plan 2050, pg. 206.

education, healthcare, community and cultural facilities. The Plan Change area is serviced by existing infrastructure.

The Plan Change provides an opportunity to increase residential development capacity, maximising the efficient use of a large and highly accessible site within a city fringe location. Residential development capacity is maximised through increasing the maximum height limit on the site from 27m to heights ranging from 0m – 55m (measured from the George Street Datum of RL 66). The GFA Study undertaken by Warren and Mahoney (refer **Appendix 4**) shows that this increase in height provides for approximately 10,000m² more floor area for residential use. The proposed George Street Precinct also provides for more efficient use of land through limiting the number of carparks that can be provided on the site to 500. This ensures the additional floor area that is enabled by the increase in height is used for residential or commercial purposes rather than carparking.

The proposed George Street Precinct provisions introduce a planning framework for a challenging site to achieve quality urban design outcomes and establish a formal pedestrian connection between Clayton Street and Pukekawa/Auckland Domain. The precinct provisions implement a design-based approach, with all building development subject to specific standards and requiring assessment against a tailored set of criteria. This will ensure the taller buildings enabled within the precinct integrate with the surrounding development and demonstrate an overall design strategy. It will also ensure that the publicly accessible spaces and pedestrian connections are attractive, safe and lively spaces.

Overall, the Plan Change is consistent with the strategic direction of the Auckland Plan and will contribute to achieving a quality compact approach to urban growth, while ensuring that good design is embedded through the development.

These strategic objectives of the Auckland Plan are reflected in the AUP objectives and policies, which are assessed in detail below.

7.0 REGIONAL POLICY STATEMENT AND PLANS

7.1 AUCKLAND UNITARY PLAN (OPERATIVE IN PART)

The Regional Policy Statement (RPS) sets out the overall strategic statutory framework to achieve integrated management of the natural and physical resources of the Auckland Region. The RPS broadly gives effect to the strategic direction set out in the Auckland Plan. Of particular relevance to this Plan Change is Chapter B2 of the RPS which contains provisions directing urban growth and form in Auckland and Chapter B4 which seeks to protect significant views to the Maunga.

B2.2 Urban Growth and Form

There is strong direction to achieve a quality compact urban form, with growth primarily located within the Metropolitan area as defined in Appendix 1A of the AUP. Sufficient development capacity is required to accommodate residential and commercial growth with social facilities to support growth. There is an emphasis on achieving a higher quality urban environment and better use of existing infrastructure, through enabling higher residential intensities in areas closest to centres, the public transport network, open space and large social facilities and amenities.

The Plan Change is consistent with this policy direction as it provides for a mixed use development that contributes to a quality compact form. The increased height will enable a significant number of dwellings⁶ on a site that is highly accessible to the Newmarket Metropolitan Centre, the Grafton train station, the frequent transit network (FTN) that runs along Broadway, the University of Auckland Grafton campus, ACG school, Pukekawa/Auckland Domain, Auckland Hospital and a range of other social amenities. This provides for a significant increase in the efficient utilisation of a land resource and existing infrastructure. Additionally, the co-location of commercial and residential uses reduces the pressure on transport infrastructure.

B2.3 A Quality Built Environment

The objectives and policies within B2.3 seek to achieve a quality built environment by ensuring that development responds to the qualities and characteristics of the site. There is an emphasis on achieving a high level of amenity and safety for pedestrians, supporting the planned future development, reinforcing the hierarchy of centres and corridors, contributing to a diverse mix of choice for people and communities and maximising resource and infrastructure efficiency.

The Plan Change area is a large site that presents high level design opportunities to ensure that the final redevelopment will achieve quality built environment objectives. The Urban Design Report (refer **Appendix 5**) provides a comprehensive assessment of how the Plan Change achieves a high quality pedestrian environment, quality built form, and addresses the relationship to neighbouring sites. In summary, the George Street precinct will enable a greater intensity of development on a site that is very well situated in terms of amenities and active and public transport modes. It will also provide a community focal point for a growing population for the working and residential community at the northern end of Newmarket, through the requirement of a pedestrian plaza.

The required pedestrian connections through the Plan Change area will address the poor levels of permeability in the area. In particular the driveway that forms an informal extension to the north/south Newmarket laneway network, which is a highly utilised alternative pedestrian route to the main shopping thoroughfare along

⁶ Concept design provides for up to 324 dwellings.

Broadway, will be protected and formalised. The tailored assessment criteria will ensure the 10m north-south fall from George Street to Clayton Street is managed across the site in a manner that achieves a quality pedestrian environment.

The bulk and location controls included within the George Street precinct will result in a more intense development than what currently exists but is in keeping with the planned future development of the area. The precinct includes setback controls which will appropriately manage amenity on neighbouring sites, in particular the adjoining apartment building at 8 Clayton Street.

The impact of development enabled by the Plan Change on the centre's hierarchy is discussed in Section 8. In summary it is found that the Plan Change will not detract from the function of Newmarket as a Metropolitan Centre because a completely commercial development will not result in significantly more commercial floor space than a complying development under the current provisions. Furthermore, the additional height enabled by the Plan Change will not visually overpower Newmarket and will sit comfortably into the existing urban fabric as an integral component of the wider Newmarket area.

B4.3 Viewshafts

There is a direction to protect significant views to and between the maunga to recognise their outstanding values, maintaining their visual integrity and providing visual access to landmarks across Auckland. There is an emphasis on avoiding subdivision, use and development that will result in the significant modification or destruction of the view or detract from the values of the view. This policy direction is directly relevant to the Plan Change area as the western portion of the Plan Change area is subject to the Regionally Significant Viewshaft and Height Sensitive Areas Overlay - E8 Mount Eden, Viewshafts.

The Plan Change is consistent with this policy direction as the height limits that apply to the western portion of the Plan Change area are lower than the height limits allowed under the volcanic viewshaft. Consequently, buildings enabled by the Plan Change will not intrude into E8 Mount Eden, Viewshaft, allowing this regionally significant view of Mount Eden to be preserved.

B4.2 Outstanding Natural Features and Landscapes

Pukekawa/Auckland Domain is scheduled as an Outstanding Natural Feature. Although the Plan Change will not physically affect Pukekawa there is the potential for landscape/visual effects. Therefore, the Plan Change includes an objective and assessment criteria to ensure new development is respectful of its landscape context.

Additionally, an assessment of Landscape and Visual Effects has been undertaken to help inform the Plan Change application. As part of this assessment the visual effects of the Plan Change have been assessed from a number of representative viewpoints within the Auckland Domain which were decided in collaboration with Auckland Council. The Visual and Landscape assessment has demonstrated that the Plan Change will not visually effect Pukekawa/Auckland Domain.

As discussed in Section 7.3 Iwi authority representatives do not object to the additional height sought if the impact of the loss of the view to Maungakeikei from Pukekawa is culturally offset within the final design of the development. The applicant will continue to work with Iwi regarding cultural offsetting and there is a trigger within the assessment criteria (IX.8.2(1)(a)(v) to ensure that the design process integrates mātauranga and tikanga.

Summary

The Plan Change is consistent with the policy direction of the RPS. A comprehensive assessment of the proposed plan change against the relevant objectives and policies of the RPS are provided at **Appendix 3**. This demonstrates that the proposed precinct will give effect to the RPS.

7.2 OTHER PLANS

7.2.1 Newmarket Laneways Plan

A plan to develop the streets around these smaller Newmarket blocks into pedestrian focused 'laneways' was released by Auckland Council, on behalf of the Waitemata Local Board in 2015. The 'Newmarket Laneways Plan' sets out a number of principles to guide Council public realm investment in the laneways. The principles include the following:

- Prioritising the movement of people;
- Developing a dynamic local economy;
- Improving our places;
- Feeling and being safer;
- Reinforcing local distinctiveness;
- Streets are social spaces;
- A child friendly public realm;
- Historic and cultural heritage; and
- Te Aranga design principles.

The Laneways Plan extends to Kingdon Street, one block south of the site. To date, streetscape upgrades in the 'laneways' area have included Osborne Street, Teed Street and Lumsden Green. There has also been an extension of the laneways

concept onto adjoining sites, such as Osborne Lane off Kent Street and Osborne Street.

While the Plan Change area is outside of the Laneways Plan area the Plan Change is consistent with these principles as it formalises and enhances the unofficial but highly utilised pedestrian connection between Clayton Street and George Street which forms an informal extension to the north/south Newmarket laneway network.

7.3 MANA WHENUA CONSULTATION AND ENGAGEMENT

Consultation was undertaken with 16 tribal authorities (see **Appendix 12**) with Ngāti Whātua Ōrākei and Ngāti Tamaoho both undertaking site walkovers. The only issue noted during this hui was the potential impact of views to Maungakeikei (One Tree Hill) from the Auckland Domain and a photo of the view was provided.

An analysis was prepared by Warren and Mahoney with regards to the photo provided and this was provided to both authorities (see **Appendix 13**). This analysis compared the following:

- A theoretical building mass of a building that would comply with the current planning control for the site, i.e. 27m height limit (which is less than the volcanic view shafts), building setbacks, height in relation to boundary, etc;
- A potential scenario of a development that would be enabled by the proposed plan change; and
- Building mass of a compliant building mass vs plan change scenario.

Following review of this further analysis, both authority representatives noted that they did not object to the additional height limits sought. We note that engagement will remain on going with regards to further design specific comments raised.

7.4 CONSULTATION AND ENGAGEMENT WITH THE WAITEMATA LOCAL BOARD

A presentation was given to the Waitemata Local Board on 12 March 2020. Should the plan change be accepted, the statutory requirement process for formal Local Board feedback will be managed by Plans and Places/Local Board.

7.5 CONSULTATION AND ENGAGEMENT WITH AUCKLAND TRANSPORT

A meeting was held with Auckland Transport in December 2019. Auckland Transport provided feedback on the proposed Plan Change and their feedback which has been taken into account in developing the final Plan Change application.

8.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

Section 76 of the RMA states that in making a rule, the territorial authority must have regard to the actual or potential effect on the environment of activities including, in particular, any adverse effect. This section details the actual and potential effects that the Plan Change provisions may have on the environment. This assessment is based on analysis and reporting undertaken by various experts, which are attached as appendices to this report.

8.1 QUALITY BUILT ENVIRONMENT

An Urban Design assessment of the proposed Plan Change has been undertaken by Barker and Associates and is included at **Appendix 5**. The Urban Design assessment assesses how the Plan Change provisions will facilitate the following desired urban design outcomes:

A high quality pedestrian environment:

- Discourage lower density uses that would be incompatible with a higher density, pedestrian focused environment.
- Improve pedestrian connectivity between Newmarket and the Auckland Domain/Parnell and provide a new community focal point.
- Ensure pedestrian connections are direct, legible, safe, accessible, and have a public realm quality.
- Ensure car parking supply, design, and vehicle access does not compromise the pedestrian environment.

Quality built form:

- Ensure building height and massing positively integrates development into the surrounding area.
- Ensure an overall high quality of design.
- Positively respond to and address each of the Precinct's street frontages.
- Encourage a design approach that responds to the sense of place and cultural heritage of the area.

Relationship to neighbouring sites:

 Manage adverse effects to neighbouring sites, including visual dominance, privacy and shading.

A high quality pedestrian environment

The development of the Plan Change area presents an opportunity to provide enhanced connectivity between Newmarket and the Auckland Domain/Parnell area, and provide a new community focal point in this northern part of Newmarket. The proposed George Street precinct seeks to enhance the pedestrian environment through a combination of the following requirements:

- A north-south pedestrian connection through the site, between George Street and Clayton Street publicly accessible between 7am and 11pm and completed at a specified development threshold;
- an east-west pedestrian connection extending from Morgan Street through to the centre of the site publicly accessible between 7am and 11pm and completed at a specified development threshold;
- a pedestrian plaza of a minimum size of 700m² and minimum dimension of 20m;
- a requirement for 'active edges' along much of the length of the north-south pedestrian connection and along the site's George Street and Clayton Street frontages;
- A proposed framework of policies, matters for discretion and assessment criteria which seek to ensure that pedestrian routes have good legibility and enable good wayfinding, are safe, overlooked, accessible and encourage public use; and
- A range of policies, standards and assessment criteria are used to manage the relationship between vehicles and pedestrians and ensure that the accommodation of vehicle movement and parking does not compromise the pedestrian environment.

Overall, the Urban Design Assessment concludes that the proposed provisions will achieve the outcomes sought in relation to a high quality pedestrian environment. In particular the urban design assessment finds:

- The required size and dimensions of the pedestrian plaza and the requirement for it to be edged by active uses will deliver a new community focal point in this northern part of Newmarket.
- The required pedestrian connections will provide valuable improved permeability through the wider area, extending the existing permeable network of Newmarket laneways through to a new interface and frontage with the Auckland Domain and southern part of Parnell.
- The requirement for the pedestrian connections to be publicly accessible between 7am-11pm appropriately balances the desirability of extended hours of access with safety imperatives.

- The requirement for the pedestrian connections and plaza to be constructed at the time of occupation of adjoining buildings within the Precinct gives certainty as to their delivery should development occur in stages.
- The proposed Precinct provisions are well crafted to ensure that the required pedestrian connections deliver the key features of successful pedestrian routes including good wayfinding, overall legibility, safe, edged by active uses, accessible and have design features that reinforce a sense of public accessibility.
- The combination of a proposed cap on carparking numbers, the discretion reserved to Council on the design of parking areas and vehicles access, and associated criteria which reinforce the importance of the pedestrian environment, will support a key aim of the Precinct: the delivery of an overall high quality pedestrian realm.

Quality built form

The Urban Design assessment has also assessed whether the proposed precinct provisions will achieve quality built form outcomes. The Urban Design assessment concludes that the proposed provisions, flowing through from objectives and policies to tailored standards, matters of discretion and assessment criteria, with their emphasis on high-quality architecture and design, provide a suite of tools that will ensure an overall high quality of design is achieved for development within the Precinct. Furthermore, the assessment criteria reference the Te Aranga design principles and encourage the use of landscaping to reinforce the connection from Newmarket to the Domain. These criteria create a clear guide to applicants for future resource consents within the Precinct regarding expectations for incorporation of cultural heritage and sense of place elements such as landscaping into any design response.

The Urban Design assessment finds that the Precinct provisions effectively manage building height and scale to integrate it in a positive manner into the surrounding environment through a combination of:

- Four different height areas resulting in a staggering of building scale;
- A 55m maximum tower dimension applied at a lower height than in the underlying Business-Mixed Use zone, resulting in more slender tower forms;
- A minimum required 10m separation between any facing buildings across Height Areas B and C, to ensure building bulk in these two adjoining Height Areas does not appear visually contiguous.
- Assessment criteria, enabling consideration of building appearance as seen from the surrounding streets and area, and how the roof profiles of buildings contribute to the skyline.

The proposed provisions will produce a development form with streetscape outcomes superior to those enabled by the underlying zone. In particular, proposed provisions will ensure that development in the Precinct presents activated street level frontages to both George Street and Clayton Street and prioritises pedestrian safety and legibility on all frontages. The provisions also require that there is passive surveillance of the street through the incorporation of high levels of glazing on upper floors.

Relationship to neighbouring sites

The Precinct uses an approach of adopting some Business-Mixed Use zone standards to manage visual dominance and privacy and shading effects on adjacent sites, while introducing Precinct-specific provisions where Precinct boundaries are particularly sensitive to additional height. The Urban Design assessment is satisfied that this is a well-balanced approach and the potential visual dominance and privacy effects to adjacent sites are appropriately managed. Further, the extent of additional shadow cast by the Precinct development envelope when assessed against the existing and planned future environments is not significant.

Summary

Overall, the Plan Change provisions will facilitate a redevelopment of the Plan Change area that will have positive effects. The precinct provisions will result in an enhanced pedestrian environment creating a community focal point and increasing permeability of the Plan Change area. The precinct provisions will achieve a quality built form which integrates with the surrounding area. Future development will result in visual dominance, privacy and shading effects on adjacent sites however, these will be managed in accordance with the underlying zone or with precinct-specific provisions where precinct boundaries are particularly sensitive to additional height.

8.2 LANDSCAPE AND VISUAL AMENITY

An Assessment of Landscape and Visual Effects has been prepared by LA4 Landscape Architects in support of this Plan Change application and is included at **Appendix 6** to this report. The assessment evaluates the George Street Precinct provisions along with the concept plans by Warren and Mahoney included within **Appendix 4** which are consistent with the height and bulk proposed within the precinct.

The Landscape Effects assessment concludes that as the landscape values associated with the Plan Change area are very low, due to the heavily modified nature of both the Plan Change area and its surrounding area. A number of dated commercial buildings with little architectural merit are currently located within the Plan Change area and the remainder of the Plan Change area is paved for access and car parking.

No significant vegetation is present within the Plan Change area. As such the landscape sensitivity of the Plan Change area to change is very low and development enabled by the Plan Change will have very low landscape effects on the Plan Change area and surrounding urban area.

The Visual Effects Assessment analyses the perceptual (visual) response that any of the identified changes to the landscape may evoke, including effects relating to views and visual amenity. Visual sensitivity is influenced by a number of factors including the visibility of development enabled by the Plan Change, the nature and extent of the viewing audience, the visual qualities of development enabled by the Plan Change, and the ability to integrate any changes within the landscape setting, where applicable.

To carry out the visual assessment eight viewpoints were identified, reflecting both the immediate and wider context of the Plan Change area. These viewpoints were identified and agreed upon following consultation with Auckland Council and fairly represent the range of public and private views towards the Plan Change area. For each location, a photomontage was prepared which was then analysed.

The Visual Effects Assessment finds that development enabled by the Plan Change will result in noticeable visual changes due to the increased height of buildings within the Plan Change area from what currently exists. The assessment finds that the Plan Change provides a suitable hierarchy and level of interest of building forms stepping up from the lower western height area to the taller prominent height area along the eastern part of the Plan Change area. The building height hierarchy, form and scale have addressed the streetscape and surrounding area sensitively and in an appropriate manner.

At a surrounding neighbourhood streetscape level, development enabled by the Plan Change is largely screened by existing built development and vegetation within the line of sight. Future planned development enabled by the AUP will create an additional level of screening.

With respect to how development enabled by the Plan Change sits within the wider context, the Visual Effects Assessment finds that the Plan Change will not impact the surrounding urban amenity and the pattern of development will sit comfortably into the existing urban fabric. Development will be seen as an integral component of the wider Newmarket area and will be an appropriate form and scale for its location.

Overall the Visual Effects assessment concludes that while development enabled by the Plan Change will be readily visible it does not appear out of character. The building form has been successfully broken up through the visual separation of the buildings and minimised the visual effects to an acceptable level. Further change in visual character is not necessarily an adverse effect and taller buildings that are well designed can have positive visual outcomes.

8.3 HIERARCHY OF BUSINESS CENTRES

The Newmarket Metropolitan Centre is a very well established and successful centre which is concentrated around Broadway, a high street shopping area which is anchored in the South by the new Westfield 277 shopping centre. The Plan Change area is located adjacent to the northern extent of the Metropolitan Centre zone and on the edge of the Auckland Domain. As the Plan Change area effectively boarders Newmarket Metropolitan Centre, this application differs from other applications to establish out of centre mixed use developments which effectively create new centres, some distance from existing centres. Despite this the potential for the Plan Change to affect the role, function and amenity of the Centre has been assessed.

The activities which can establish within the Plan Change area are largely determined by the underlying Mixed Use zone, which is enabling of office, residential and retail. The GFA that can be achieved is related to the land use as there are different setback requirements where developments incorporate habitable rooms. A GFA study has been undertaken to determine the difference in feasible GFA enabled by the current planning provisions in comparison to that enabled by the proposal and is attached in **Appendix 4**. The results of the GFA study are summarised in Table 8.3.1 below.

Table 8.3.1 Summary of GFA Study

	Scenario A - Current AUP Rules (max yield for commercial development)	Scenario B - Plan Change (Max yield for commercial development)	Scenario C - Current AUP Rules (max yield for residential development)	Scenario D - Plan Change (Typical yield for mixed use development)
Retail GFA	-	-	-	1,300 m²
Supermarket GFA	2000 m²	2000 m²	2000 m²	2000 m²
Residential GFA	-	-	18,500m²	27,310 m²
Commercial GFA	31,700 m²	35,100 m²	-	-
Total GFA	33,700 m²	37,100 m²	20,500 m ²	30,610 m ²

While the Plan Change allows for higher buildings within the Plan Change area there is no significant increase in overall GFA in a fully commercial development. A compliant commercial development under the current planning provisions could result in a GFA of 33,700m². The Plan Change however, is subject to the Maximum tower dimension and tower separation standard which applies to buildings over 27m to ensure a slender building form. This control significantly reduces the overall GFA which can be achieved in a commercial development. As such the concept scheme

that the Plan Change is based on only results in a commercial GFA of 37,100m², which is only 3,400m² more than the commercial GFA that can be achieved under the AUP rules. As the increase in commercial or retail GFA is minimal the impact on the role and function of Newmarket Metropolitan Centre is minor. Furthermore, under the Mixed Use zone provisions the impact of any supermarkets, department stores and large format retail exceeding 1,000m² on the Newmarket Metropolitan Centre will need to be assessed⁷.

In relation to the impacts of the Plan Change on Newmarket Metropolitan Centre an additional consideration is whether the additional height might result in development that is of a scale that undermines the centre hierarchy. The maximum height limit of the Business-Metropolitan Centre zone is 72m however Volcanic Viewshafts constrain the maximum height that can be achieved in Newmarket to between 28m to 55m. The Plan Change enables a mixture of heights ranging from 29.8m up to 63.7m above grade. This will in some instances enable buildings which are the same height or taller than what can be developed in Newmarket Metropolitan Centre.

The planning framework that determines the heights of buildings in centre zones does not reflect a centres hierarchy approach. This is because the Height Variation Control can vary the height of any tier of centre to heights of 13m, 18m, 21m or 27m. Also centres, particularly Metropolitan Centres, develop gradually over time. Meaning that buildings will vary significantly in height while the full development potential is gradually taken up. Despite the varied nature of height in centres and the unclear height hierarchy for centres within the AUP, the visual impact assessment (refer Appendix 6) has shown that the higher buildings enabled by the Plan Change will not result in a landmark building outside of the centre that visually overpowers Newmarket Metropolitan Centre. While development enabled by the Plan Change will be highly visible from certain locations, it will be seen as an integral part of the wider Newmarket area and will be of an appropriate form and scale for its location.

Overall any adverse effects on the role, function and amenity of Newmarket Metropolitan Centre are unlikely and minor.

8.4 **TRANSPORT**

The Plan Change area is subject to a Centre Fringe Office Control⁸ which applies in areas where the public transport network provides an alternative means of travel to private vehicle to support intensification. Under this control there is no requirement for proposed developments to provide carparking or a detailed assessment of traffic generation and impacts on the network. Notwithstanding this as the Plan Change will

⁷ H13.8.1.(4)

⁸ AUP - Chapter E27 Transport and Auckland Unitary Plan Viewer

provide additional development capacity to what is currently enabled under the AUP, an Integrated Transport Assessment (ITA) has been prepared by Commute Transportation Consultants and is included at **Appendix 7** to this report.

The ITA considers the existing transport environment, including the accessibility of the Plan Change area to the different transport modes. Key matters addressed in the ITA include the following:

- Accessibility of the Plan Change area;
- The ability of the surrounding road network to safely and efficiently accommodate traffic generated by potential development; and
- Pedestrian and vehicle access to the Plan Change area.

Accessibility of the Plan Change area

The ITA finds that the Plan Change area has excellent accessibility to all transport modes including walking, cycling, public transport and private vehicle. The Plan Change area is within walking and cycling distance to two centres (Parnell and Newmarket), employment, education, open space, recreational and commercial activities. It is also connected to key cycling infrastructure within the Auckland city centre⁹. The Plan Change will contribute to increased pedestrian permeability within the northern Newmarket area through formalising and enhancing a highly utilised pedestrian connection between Pukekawa/Auckland Domain, and Newmarket. This connection forms an informal extension to the north/south Newmarket laneway network, and provides an alternative pedestrian route to the main shopping thoroughfare along Broadway.

In terms of accessibility to public transport, the Plan Change area is serviced by bus stops connecting on a frequent service to Britomart, Karangahape Road, Ponsonby, Newmarket, St Lukes, Universities, Mt Eden and Mt Albert. It is also accessible to services in Mission Bay, the North Shore, Botany, Glen Innes, Ellerslie/Middlemore and Onehunga. The Plan Change area is within walking distance to both the Newmarket and Grafton Train Stations. Trains currently operate on 10 minute frequencies and following the completion of City Rail Link, the Newmarket station will be serviced by 5 minute train frequencies. The Grafton Station will be slightly less frequent.

Traffic implications of the Plan Change

The AUP recognises that parking can be an influential tool to reduce car use, particularly for commuter travel. In turn, this can reduce traffic growth, particularly during peak periods, and when supported by the provision of other transport modes,

⁹ Including Te Ara I Whiti - Lightpath (Pink Path) and the Grafton Gully shared path.

achieves a more sustainable transport network. Parking maximums have been identified in the AUP to manage potential parking oversupply and in turn reduce traffic congestion and provide opportunities to improve amenity in areas earmarked for intensification - such as Newmarket.

In accordance with this approach the Plan Change also proposes to utilise parking management as a tool to mitigate the traffic impacts of the increase in development intensity enabled by the Plan Change. The George Street Precinct proposes to provide for a maximum parking provision of 500 parking spaces. These may be allocated across the various activities on the site, allowing greater flexibility within the precinct to achieve outcomes that support transport choices other than private vehicle.

The ITA has assessed the traffic implications of the Plan Change based on three development scenarios and taking into account the proposed restricted parking environment. The three scenarios include:

Scenario	Comment	Assumptions	Land Use Assumptions
Scenario A	A baseline assessment considering the effect of what could be enabled within the Plan Change area utilising the existing provisions of the AUP.	A ground floor of retail activities which could potentially include a	31,700m² Office
			2,000m² Retail
		supermarket. Office activities above the ground floor.	No residential units
	A theoretical "worst case" scenario for what	A ground floor of retail activities which could	35,100m² Office
Scenario B	could be enabled by the Plan Change.	potentially include a	2,000m² Retail
		Office activities above the ground floor.	No residential units
	An alternative potential	A ground floor of retail	0m² Office
Scenario C	scenario of what could be enabled by the Plan Change based on the Warren & Mahoney concept see Appendix 4.	activities which could potentially include a supermarket. Residential activities above the ground floor.	3,300m² Retail
			324 residential units

The ITA assesses the trip generation of each scenario with and without the restricted parking environment. Overall the ITA finds that with the proposed restricted parking environment, the traffic generation associated with the Plan Change is expected to be lower than that resulting from development in accordance with the AUP provisions. In particular Scenario A will result in 556 peak hour trips. Scenario B will

result in 621 peak hour trips but this is reduced to 480 trips with the parking maximum. Scenario C will result in 314 trips.

The cycle parking, accessible parking and servicing requirements are not proposed to be amended by the Plan Change and therefore the provisions within E27 - Transport will continue to apply.

Pedestrian and vehicle access to the Plan Change area

The George Street Precinct identifies the location of pedestrian and vehicle access to the precinct. While the detailed design of all the vehicle and pedestrian access points will be determined through the resource consent process, the precinct includes assessment criteria to ensure there is a strong pedestrian focus throughout the precinct. More specifically the criteria also ensure the final design achieves the outcomes sought in terms of pedestrian safety and amenity for each vehicle access point or pedestrian connection.

The precinct requires that pedestrian connections are provided linking George Street with Clayton Street and Morgan Street with the centrally located plaza. The ITA notes that this will significantly increase the site permeability for pedestrians, particularly north-south between Pukekawa/Auckland Domain, and the Newmarket Centre. The additional pedestrian connections required within the precinct will provide finer grain permeability of the Plan Change area.

In terms of vehicle access, the Plan Change proposes to limit vehicle access to identified vehicle access points at George Street, Morgan Street and Clayton Street. The main vehicle movements will be accommodated on Morgan Street. This enables the site frontage on George Street and Clayton Street to have an active frontage, enhancing the key pedestrian connection through the precinct.

As the George Street entrance has a significant frontage and is the key entrance for the pedestrian connection between Clayton Street and Pukekawa/Auckland Domain, this frontage and vehicle access will need to be designed to support safe and attractive pedestrian movements. This may be achieved through entry treatments, narrowing of vehicles crossing and other design features to reduce speed and promote pedestrian amenity.

Vehicle access from Clayton Street is proposed to be limited to not compromise the pedestrian focus of this entrance to the precinct.

Summary

Overall, the Plan Change area is highly accessible through active and public modes of transport. Therefore, parking maximums are incorporated to mitigate the traffic impacts of the increased development intensity enabled by the Plan Change and take advantage of the accessibility of the Plan Change area to encourage travel behavior change. The Plan Change will formalise a highly used pedestrian route between Clayton Street and Pukekawa/Auckland Domain, and the vehicle access requirements to the Plan Change area have been designed to enhance this connection by prioritising pedestrian safety and amenity.

8.5 OPEN SPACE AND COMMUNITY FACILITIES

The Plan Change area is highly accessible to open space and community facilities. In particular, the Auckland Domain, which is one of Auckland's oldest and largest urban parks (75 hectares), is located directly across George Street. The park contains several important civic facilities including, the Auckland War Memorial Museum, the Wintergardens and sportsfields. It is also the home of many cultural and sporting events.

The Plan Change area is also well serviced by community facilities. The Parnell Library and ACG Parnell College are located directly adjacent and across the road from the Plan Change area. The Parnell Lawn Tennis Club, the Auckland Hospital and St Peters College are located within a 5-15minute walk from the Plan Change area. Auckland Grammar is located within a 20m walk from the Plan Change area.

Newmarket Metropolitan Centre is within a short walk of the Plan Change area. Newmarket is a significant retail and employment area with entertainment and leisure facilities including the Olympic Swimming Pool, movie theatres and several gyms.

In summary, the surrounding open space, amenities and social facilities, are accessible by active and public modes of transport, and are of a sufficient size to cater for the social and cultural needs and well-being of future residents of the Plan Change area.

8.6 SERVICING

An infrastructure report was prepared by MSC Consulting Group to inform the Plan Change, which is included at **Appendix 8** to this report. In Summary:

- The Plan Change area is well serviced by existing public infrastructure and suitable for development;
- There are no restrictions on the capacity of the water supply network and development within the Plan Change area can connect to the existing network;

- Power and telecommunications can be readily extended to service the Plan Change area;
- Stormwater and wastewater infrastructure can be provided to service the Plan
 Change area and will be confirmed through the consenting stage;
- Based on the indicative Warren and Mahoney concept in Appendix 4 the Stormwater runoff from development enabled by the Plan Change will not exceed the pre development runoff; and
- There are four overland flow paths crossing the Plan Change area, however, development enabled by the George Street Precinct can be designed to ensure the entry and exist points remain unchanged.

Based on this analysis, development of the Plan Change area can connect efficiently to existing infrastructure networks and development does not rely on more comprehensive upgrades to the network.

8.7 SUMMARY OF EFFECTS

The actual and potential effects of the proposed Plan Change have been considered above, based on extensive reporting and analysis undertaken by a wide range of technical experts. On the basis of this analysis, it is considered that the area is suitable for the additional height enabled by the Plan Change and the proposed precinct provisions will result in positive effects on the environment in terms of the social and economic well-being of the community. Further, the development can be serviced by existing infrastructure.

9.0 SECTION 32 ANALYSIS

9.1 APPROPRIATENESS OF THE PROPOSAL TO ACHIEVE THE PURPOSE OF THE ACT

Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives of the proposed Plan Change are the most appropriate way to achieve the purpose of the RMA.

9.1.1 Objectives of the Plan Change

The purpose, or overarching objective, of the Plan Change is to deliver a comprehensively designed mixed use development that enables quality intensification in a highly accessible location, through providing for buildings of greater height than the underlying provisions. The Plan Change also seeks to promote public transport and active transport modes through limiting the provision of carparking and utilising the podium to deliver high quality publicly accessible spaces

that provide pedestrian connectivity between Newmarket and Pukekawa/Auckland Domain.

The proposed precinct incorporates the following objectives to guide development within the Plan Change area:

- (1) The George Street Precinct is comprehensively developed as an attractive, and vibrant mixed use precinct with a high quality built form and high amenity publicly accessible spaces, that create a community focal point for future residents and the wider neighbourhood.
- (2) A greater scale of height is enabled within a location that is highly accessible to public transport and other amenities, while ensuring buildings do not dominate the skyline when viewed from around the city.
- (3) A range of retail and service activities are anticipated to support residential and worker amenity within the precinct and surrounding area.
- (4) Buildings above the podium level are designed to achieve a form that contributes to a feeling of spaciousness when viewed from the surrounding streets and area, and from within the development.
- (5) The George Street Precinct promotes pedestrian safety and connectivity through the area, particularly between Newmarket and the Auckland Domain.

9.1.2 Assessment of the Objectives against Part 2

Section 5 of the RMA identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

The objectives of the Plan Change are consistent with Part 2 of the RMA, given that the Plan Change area will provide opportunities for quality intensification in an area with excellent accessibility to public transport and amenities, enhancing the social, cultural and economic well-being of future residents of the Plan Change area. Furthermore, the Plan Change seeks to manage development on the boundary with 8 Clayton Street and the boundaries of Height Area 'A' where the greatest height is provided for, to continue to provide access to a reasonable level of daylight and amenity to these neighbouring sites. The Plan Change also will formalise and enhance a well utilised pedestrian connection and limit onsite carparking to promote active modes of transport and mitigate adverse effects of development on the environment.

Section 6 of the Act sets out a number of matters of national importance which need to be recognised and provided for in achieving the purpose of the RMA. This includes the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins; protection of outstanding natural features and landscapes, the protection of areas of significance indigenous vegetation and significant habitats of indigenous fauna; maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers; the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga; the protection of historic heritage; the protection of protected customary rights and the management of significant risks from natural hazards.

The Plan Change does not compromise the recognition of, or provision for these matters of national importance for the reasons set out in Section 8 of the report above. In particular, the proposal continues to ensure that buildings do not intrude into E8 Mount Eden, Viewshaft, allowing this regionally significant view of Mount Eden to be preserved, there is no protected historic heritage on the site and the proposal will not involve significant risks from natural hazards.

Section 7 of the RMA identifies a number of "other matters" to be given particular regard by Council. Specific matters from section 7 that are relevant to the Plan Change include:

- i. b) The efficient use and development of natural and physical resources The Plan Change will support the efficient use of natural and physical resources by applying precinct provisions that will provide for more intensive residential and business development in a highly accessible and market desirable area.
- ii. c) The maintenance and enhancement of amenity values and f) Maintenance and enhancement of the quality of the environment The proposed precinct provisions will enable a connected and high quality urban environment to be achieved that responds to the specific land characteristics of the site and edge conditions. The provisions that will apply to future development under the AUP will ensure that a high quality, built environment is achieved.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi. It is considered that this proposal will not offend against the principles of the Treaty of Waitangi.

The Plan Change is a more effective means of achieving the sustainable management purpose of the RMA than the current planning framework or an alternative (as detailed below). It is considered that the objectives of the Plan Change are the most appropriate way to achieve the purpose of the RMA.

9.2 APPROPRIATENESS OF THE PROVISIONS TO ACHIEVE THE OBJECTIVES

9.2.1 The Objectives

Section 32(1)(b) of the RMA requires an evaluation to examine whether the provisions (i.e. policies and methods) of the proposed Plan Change are the most appropriate way to achieve its objectives by:

- Identifying other reasonably practicable options for achieving the objectives;
- Assessing the efficiency and effectiveness of the objectives;
- Summarising the reasons for deciding on the provisions.

As the proposed Plan Change is amending the AUP, the above assessment must relate to the provisions and objectives of the proposed Plan Change, and the objectives of the AUP to the extent that they are relevant to the proposed Plan Change and would remain if the Plan Change were to take effect¹⁰.

The respective AUP Auckland Wide, Overlay, Controls and Zone objectives with particular relevance to this plan change seek to:

Within the RPS:

- Ensure there is sufficient development capacity to accommodate growth and require the integration of land use planning with the infrastructure to service growth;
- A quality built environment where subdivision, use and development respond to the intrinsic qualities and physical characteristics of the site, reinforce the hierarchy of centres, contribute to a diverse mix of choice, address environmental effects and promote health and safety;
- Ensure residential intensification supports a quality compact urban form and land within and adjacent to centres and corridors or in close proximity to public transport is the primary focus for residential intensification;
- Ensure employment and commercial and industrial opportunities meet current and future demands;
- Significant public views to and between Auckland's maunga are protected from inappropriate subdivision, use and development; and
- Effective, efficient and safe transport that supports the movement of people, goods and services while enabling growth, supporting a quality compact urban form and facilitating transport choice.

¹⁰ RMA s32(3)		

Within the Business Zones -

- Provide a strong network of centres that are attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales;
- Development is of a form, scale and design quality so that centres are reinforced
 as focal points for the community and positively contributes towards planned
 future form and quality, creating a sense of place; and
- Moderate to high intensity residential activities and employment opportunities are provided for, in areas in close proximity to, or which can support the Metropolitan Centre Zone and the public transport network.

Within the Auckland-wide Provisions:

- An integrated transport network including public transport, walking, cycling, private vehicles and freight, is provided for;
- Parking and loading support urban growth and the quality compact urban form;
 and
- Pedestrian safety and amenity along public footpaths is prioritised.

The objectives of the Plan Change and the proposed provisions in the Plan Change and the relevant objectives of the AUP can be categorised into the following themes:

- Theme 1: Future development options
- Theme 2: Maximum height
- Theme 3: Carparking limits
- Theme 4: Landscape Setting

The following sections address the matters set out in Schedule 1 and Section 32 of the RMA on the basis of the themes listed above.

9.3 OTHER REASONABLY PRACTICABLE OPTIONS FOR ACHIEVING THE OBJECTIVES

9.3.1 Theme 1: Future Development Options

The AUP objectives which have particular relevance for Theme 1 include:

B2.2.1 (1) A quality compact urban form that enables all of the following: (a) a
higher-quality urban environment; (b) greater productivity and urban growth;
 (c) better use of existing infrastructure and efficient provision of

infrastructure; (d) improved and more effective public transport; (e) greater social and cultural vitality; and (g) reduced adverse environmental effects.

- B2.3.1 (1) A quality built environment where subdivision, use and development do all of the following: (a) respond to the intrinsic qualities and physical characteristics of the site and area, including its setting; (b) reinforce the hierarchy of centres and corridors; (c) contribute to a diverse mix of choice and opportunity for people and communities; (d) maximise resource and infrastructure efficiency; (e) are capable of adapting to changing needs; and (f) respond and adapt to the effects of climate change.
- B2.3.1(2) Innovative design to address environmental effects is encouraged.
- B2.3.1(3) The health and safety of people and communities are promoted.
- B2.4.1 (1) Residential intensification supports a quality compact urban form.
- B2.4.1 (3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.
- B3.3.1(1)(b) Effective, efficient and safe transport that: integrates with and supports a quality compact urban form.
- B3.3.1(1)(e) Effective, efficient and safe transport that: facilitates transport choices, recognises different trip characteristics and enables accessibility and mobility for all sectors of the community.
- B4.3.1(1) Significant public views to and between Auckland's maunga are protected from inappropriate subdivision, use and development.
- H13.2(6) Moderate to high intensity residential activities and employment opportunities are provided for, in areas in close proximity to, or which can support the City Centre Zone, Business Metropolitan Centre Zone, Business Town Centre Zone and the public transport network.

In determining the most appropriate method for achieving the objectives of the Plan Change, consideration has been given to the following other reasonably practicable options:

- Option 1 Status quo (Business Mixed Use Zone with 27m Height Variation Control)
- Option 2 Rezone the Plan Change area Business Metropolitan Centre
- Option 3 Rezone the blocks bordered by Morgan Street, George Street, Broadway and Carlton Gore Road Business - Metropolitan Centre Zone

- Option 3a: Delete the Height Variation Control and introduce the George Street Precinct over the blocks bordered by Morgan Street, George Street, Broadway and Carlton Gore Road
- Option 4 Increase the Height Variation Control
- Option 5 Plan Change (Delete the Height Variation Control and introduce the George Street Precinct)

9.3.1.1 Evaluation of Other Reasonably Practicable Options

Each of these alternatives is discussed below and a summary of the s32(2) matters for the options are set out in Table 9.3.1.1.

Table 9.3.1.1: Summary of Options Analysis Addressing S32(2) Matters

Benefits Costs **Efficiency and Effectiveness** Option 1: Status quo (Business - Mixed Use Zone with 27m Height Variation Control) This option is not in keeping with Economic Environmental Objective B2,2,1(1)(c), There economic This option will result in are B2.3.1(1)(d) or B2.4.1 (3) as it environmental costs as it does benefits for the applicant does not efficiently utilise land not require the highly utilised associated with this which is serviced by existing option as it removes the hut informal pedestrian infrastructure and has excellent cost of initiating a plan connection between accessibility to public transport, Pukekawa/Auckland Domain, change. Newmarket Metropolitan and Clayton Street to be Centre, open space and other formalised and enhanced. A less complex set of amenities. planning provisions will apply within the Plan This option will result in This option will not effectively Change area potentially environmental costs achieve Objective B2.2.1(1)(g) resulting in a simplified development that complies as there are no tailored consenting process with the underlying Business provisions to ensure which will have economic Mixed Use zone provisions will development responds to the benefits to the adversely affect the development existing developer. development at 8 Clayton adjacent sites which could result Street, limiting the ability for environmental adverse the apartments to access Environmental effects on adjoining properties. reasonable levels of daylight This option may result in and creating visual dominance environmental benefits effects. This option will not effectively or the surrounding efficiently achieve Objective properties as it retains a B3.3.1(e) as it does not enhance Social and Economic consistent height limit pedestrian connectivity and planning framework This option will result in social facilitating transport choice. limiting any potential and economic costs as it does

the site.

adverse effects which

may be generated from

further intensification of

This option does not effectively

achieve B2.2.1(1)(e) because

public spaces are not required

and therefore development will

not take advantage of the

unique site characteristics that

present an opportunity to

facilitate higher buildings and

Social and Cultural None identified.

increase the housing supply in a highly accessible location.

This option will result in social costs as greater height will be considered on an ad hoc basis through the resource consent process, which provides less certainty for the community.

Social and Cultural

This option will result in cultural costs as it does not require a pedestrian plaza which will become a community focal point for northern Newmarket.

not create greater social and cultural vitality through providing a community focal point for northern Newmarket.

This option does not effectively achieve B2.2.1(1)(a) as it does not include tailored urban design criteria that responds to the site context to ensure that development results in a higher quality urban environment.

This option is not in keeping with B2.3.1(3) as it does not secure pedestrian connections that will encourage active modes of transport promoting the health and safety of communities.

Option 2: Rezone the Plan Change Area to Business - Metropolitan Centre zone

Economic

This option will result in economic benefits for the developer as they will not have the costs of delivering the pedestrian connections and public spaces.

This option will result in economic benefits for the developer as they will have the flexibility to provide a greater number of carparks than what can be provided under Option 5.

Environmental

This option will result in environmental benefits the Business Metropolitan Centre zone is applied to sites that are identified for growth intensification and therefore provide planning framework to manage the effects of high-rise buildings.

Economic

This option will result in a confusing planning regime and associated economic costs as the height limit will in some instances be higher than what can actually be achieved under the volcanic viewshaft overlay, which covers the western portion of the site.

Environmental

As there is no requirement to limit carparking this option will not contribute to transport mode shift resulting in environmental costs.

This option will result in environmental costs as it does not require the informal but highly utilised pedestrian connection between Pukekawa/Auckland Domain, and Clayton Street to be formalised, and enhanced.

There are environmental costs associated within this option because there is no tailored assessment criteria to ensure This option is not consistent with B2.3.1(1)(b) as it confuses the strategic application of the Newmarket Metropolitan Centre zone, through allowing for a spot zone on a site that is not continuous with the centre zoning.

Inefficient and does not achieve B2.2.1(1)(a) as the application of the Business - Metropolitan Centre as a "spot zone" will result in development that is inconsistent and doesn't integrate with the surrounding neighbourhood.

This option is not efficient or effective as it is not in keeping with Objective B2.3.1(a) as the Business - Metropolitan Centre zone does not apply provisions which respond to the unique physical characteristics of the Plan Change area.

This option will not effectively achieve Objective B2.2.1(1)(g) as there are no tailored provisions to ensure

This option will result in environmental benefits as buildings within the Business - Metropolitan Centre zone require resource consent to ensure they are designed to a high standard, however the benefits won't be quite as great as those delivered by a bespoke set of criteria within Option 5.

Social and Cultural None identified.

development responds to the unique characteristics of the site and is sympathetic to the Auckland Domain and War Memorial Museum.

This option will result in environmental costs as development is not required to be setback from the existing apartment building at 8 Clayton Street resulting in shading and visual dominance effects.

Social and Cultural

This option will result in social costs as there is no requirement to create a community focal point for northern Newmarket through the delivery of the public plaza.

development responds to the existing development on adjacent sites which could result in adverse environmental effects on adjoining properties.

This option is not in keeping with B2.3.1(3) as it does not secure pedestrian connections that will encourage active modes of transport promoting the health and safety of communities.

Inefficient and not in keeping with Objective B3.3.1(1)(b) or B2.2.1(1)(C) as there is no limit on the overall carparking numbers to promote transport mode shift.

This option does not effectively achieve B2.2.1(1)(e) because public spaces are not required and therefore development will not create greater social and cultural vitality through providing a community focal point for northern Newmarket.

This option does not effectively achieve B2.2.1(1)(a) as it does not include tailored urban design criteria that responds to the site context to ensure that development results in a higher quality urban environment.

This option is not in keeping with B2.3.1(3) as it does not secure pedestrian connections that will encourage active modes of transport promoting the health and safety of communities.

Option 3: Rezone the blocks bordered by Morgan Street, George Street, Broadway and Carlton Gore Road Metropolitan Centre Zone

Economic

This option will result in economic benefits for the developer as they will not have the costs of

Economic

This option will result in a confusing planning regime and associated economic costs as the height limit will in some

This option is not efficient or effective as it is not in keeping with Objective B2.3.1(a) as the Business - Metropolitan Centre zone does not apply provisions

delivering the pedestrian connections and public spaces.

This option will result in economic benefits for the developer as they will have the flexibility to provide a greater number of carparks.

A less complex set of planning provisions will apply within the Plan Change area potentially resulting in a simplified consenting process which will have economic benefits to the developer.

Social and Economic

An opportunity to allow the intensification of a block which is contiguous with the northern end of Newmarket

Metropolitan Centre and which is one of the few areas in Newmarket which is relatively free of volcanic viewshafts resulting in social and economic benefits.

Environmental

This option will result in environmental some benefits as the height limit and planning framework that applies to the site will be consistent with the height limit and planning framework that applies to the surrounding properties. These benefits are theoretical only however as the volcanic viewshaft is lower the than Metropolitan Centre instances be higher than what can actually be achieved under the volcanic viewshaft overlay, which covers the western portion of the site.

Environmental

This option will still result in a block which is subject to a higher height limit than the rest of Newmarket due to the presence of the volcanic viewshaft constraining the height that is enabled throughout the rest of Newmarket.

This option will result in environmental costs because it will not require the informal but highly utilised pedestrian connection between Pukekawa/Auckland Domain, and Clayton Street to be formalised and enhanced.

This option will result in environmental effects because there is no assessment of development against tailored criteria to ensure development responds to the unique characteristics of the site and is sympathetic to the Auckland Domain and War Memorial Museum.

This option will result in environmental costs as development is not required to be setback from the existing apartment building at 8 Clayton Street resulting in shading and visual dominance effects.

As there is no requirement to limit carparking this option will not contribute to transport mode shift resulting in environmental costs.

which respond to the unique physical characteristics of the Plan Change area.

This option will not effectively achieve Objective B2.2.1(1)(g) as there are no tailored provisions to ensure development responds to the existing development on adjacent sites which could result in adverse environmental effects on adjoining properties.

Inefficient and not in keeping with Objective B3.3.1(1)(b) or B2.2.1(1)(C) as there is no limit on the overall carparking numbers to promote transport mode shift.

This option does not effectively achieve B2.2.1(1)(e) or B2.3.1(c) because the creation of a public space that can act as a focal point for northern Newmarket is not required limiting opportunities for greater social and cultural vitality.

This option does not effectively achieve B2.2.1(1)(a) as it does not include tailored urban design criteria that responds to the site context to ensure that development results in a higher quality urban environment.

In keeping with B2.2.1(1)(c), B23.1(1)(d) and B2.4.1 (3) as it enables better use of existing infrastructure through increasing residential development capacity on land with excellent access to public transport, adjacent to the Newmarket Metropolitan Centre and in close proximity to a range of other amenities.

height limit creating inconsistency in the height limits that apply across Newmarket.

This option will result in environmental benefits the **Business** Metropolitan Centre zone is applied to sites that are identified for growth and intensification and therefore provide а planning framework to manage the effects of high-rise buildings.

This option will result in environmental benefits as buildings within the Business - Metropolitan Centre zone require resource consent to ensure they are designed to a high standard, however the benefits won't be quite as great as those delivered by a bespoke set of criteria within Option 5.

Social and Cultural

This option will result in social costs as there is no requirement to create a community focal point for northern Newmarket through the delivery of the public plaza.

Option 3a: Delete the Height Variation Control and introduce the George Street Precinct over the blocks bordered by Morgan Street, George Street, Broadway and Carlton Gore Road

Economic

The removal of the 27m Height Variation Control over the wider block could see its replacement with bespoke 'Height Areas' allowing greater heights on other parts of the block. This would increase the development potential on adjacent sites in a highly accessible location.

Social/Environmental The applicant's landholding has

particular characteristics

Economic

The removal of the 27m Height Variation Control over the wider block and its potential replacement with bespoke 'Height Areas' allowing greater heights on other parts of the block may have the benefits of a potential increase in floor area off-set by the possible need to address the visual effects of increased building height. This could be, for example, by the application of Precinct's 'Maximum tower dimension' standard, which encourages slender towers by restricting building

This option is not effective as it is not in keeping with B2.2.1 (1)(g) because whilst it will allow greater intensification within a highly accessible location this option could result in environmental effects because applying areas of greater height to the wider block will extend the visibility of increased bulk to street frontage perimeters of the block.

This option will not effectively achieve B2.3.1 (1)(a) or B2.3.1 (1)(b) because it does not respond to the characteristics of the wider area settings and

that enable specific outcomes to be achieved - including 'internalising' the effects of greater height towards the centre οf the surrounding block and capitalising on the site's position to achieve greater connectivity between Newmarket and Auckland Domain. Other sites in the wider block do not have these characteristics and therefore do not offer these, or similar, social environmental and benefits that would justify a bespoke precinct being applied to them.

<u>Cultural</u>

None Identified.

bulk at a lower height than the underlying Mixed Use zone.

Applying the precinct to the wider block would mean that some existing businesses in that block, such as car mechanics, have a more onerous activity status applied to them than in the underlying Mixed Use zone, potentially affecting their ability to expand where future resource consents are required.

The applicant's landholding is in single ownership and can be developed in an integrated and comprehensive way. The surrounding sites are in fragmented ownership with many of the larger sites already developed with large commercial buildings.

Environmental

The removal of the 27m Height Variation Control over the wider block and its potential replacement with bespoke 'Height Areas' allowing greater heights on other parts of the block would have adverse environmental

effects. Applying areas of greater height to the wider block would extend the visibility of increased bulk to street frontage perimeters of the block. In these locations, it would be unlikely to be able to comfortably visually integrated into areas of lesser height across the street, outside the block, and also would be more visually prominent (and potentially 'dominant') as seen from the wider Newmarket area.

<u>Cultural and Social</u> None Identified. could visually challenge the centres hierarchy. This is because greater height across the entire block is unlikely to be able to be comfortably visually integrated into areas of lesser height across the street, outside the block, and also would be more visually prominent (and potentially 'dominant') as seen from the wider Newmarket area.

Option 4: Increase the Height Variation Control to 72.5m

Economic

An opportunity to allow the intensification of a block which is contiguous with the northern end of Newmarket

Metropolitan Centre and which is one of the few areas in Newmarket which is relatively free of volcanic viewshafts resulting in social and economic benefits.

This option will result in economic benefits for the developer as they will not have the costs of delivering the pedestrian connections and public spaces.

This option will result in economic benefits for the developer as they will have the flexibility to provide a greater number of carparks.

A less complex set of planning provisions will apply within the Plan Change area potentially resulting in a simplified consenting process which will have economic benefits to the developer.

Environmental

This option will result in environmental benefits as buildings within the Business — Mixed Use zone require resource consent to ensure they are designed to a high standard, however the benefits won't be quite as great as those delivered by a bespoke

Economic

This option will result in a confusing planning regime and associated economic costs as the height limit will in some instances be higher than what can actually be achieved under the volcanic viewshaft overlay, which covers the western portion of the site.

Environmental

This option will result in environmental costs because it will not require the informal but highly utilised pedestrian connection between Pukekawa/Auckland Domain, and Clayton Street to be formalised and enhanced.

This option will result in environmental effects because there is no assessment of development against tailored criteria to ensure development responds to the unique characteristics of the site and is sympathetic to the Auckland Domain and War Memorial Museum.

This option will result in environmental costs as development is not required to be setback from the existing apartment building at 8 Clayton Street resulting in shading and visual dominance effects.

As there is no requirement to limit carparking this option will not contribute to transport mode shift resulting in environmental costs.

Social and Cultural

This option will result in social and cultural costs as there is

This option is not efficient or effective as it is not in keeping with Objective B2.3.1(a) as the Business - Metropolitan Centre zone does not apply provisions which respond to the unique physical characteristics of the Plan Change area.

This option will not effectively achieve Objective B2.2.1(1)(g) as there are no tailored provisions to ensure development responds to the existing development on adjacent sites which could result in adverse environmental effects on adjoining properties.

Inefficient and not in keeping with Objective B3.3.1(1)(b) or B2.2.1(1)(C) as there is no limit on the overall carparking numbers to promote transport mode shift.

This option does not effectively achieve B2.2.1(1)(e) or B2.3.1(c) because the creation of a public space that can act as a focal point for northern Newmarket is not required limiting opportunities for greater social and cultural vitality.

This option does not effectively achieve B2.2.1(1)(a) as it does not include tailored urban design criteria that responds to the site context to ensure that development results in a higher quality urban environment.

In keeping with B2.2.1(1)(c), B23.1(1)(d) and B2.4.1 (3) d as it enables better use of existing infrastructure through increasing residential development capacity on land with excellent access to public transport, adjacent to the

set of criteria within Option 5.

Social and Cultural
None identified.

no requirement to create a community focal point for northern Newmarket through the delivery of the public plaza.

Newmarket Metropolitan Centre and in close proximity to a range of other amenities.

This option is not in keeping with B2.3.1(3) as it does not secure pedestrian connections that will encourage active modes of transport promoting the health and safety of communities.

Option 5: Plan Change: (Delete the Height Variation Control and introduce the George Street Precinct)

Environmental

Will result in positive environmental effects through formalising the highly utilised pedestrian connection between Pukekawa/Auckland Domain, and Clayton Street and also enhances pedestrian connectivity between Clayton and Morgan Street.

environmental benefits as they are tailored to the unique characteristics of the Plan Change area to ensure that the design of any future development integrates with the surrounding environment and is an appropriate design response for the Plan Change area.

The provisions will result

The provisions will result environmental benefits through ensuring that development incorporates an appropriate design response to maintain a level reasonable of amenity to the existing and future developments

Economic

Economic costs to the applicant in preparing the precinct provisions.

The addition of a precinct will add an additional level of complexity to the planning provisions for the site resulting in potentially more complex and expensive consenting process.

The developer will have large economic costs associated with the delivery of the pedestrian connections and public plaza.

The bespoke setback controls will result in a more complex construction resulting in costs to the developer.

The carpark limit will potentially result in costs to the developer who may not be able to achieve as higher price for apartments with limited carparking.

Environmental, Social and Cultural

None identified.

This option is the most effective option as it achieves Objective B2.3.1(a) and Objective B2.2.1(1)(a) as it includes standards and design criteria that respond to the unique characteristics of the Plan Change area and adjoining sites ensure and will that development results in a higher quality urban environment.

This option will ensure the delivery of public spaces and pedestrian connections through the Plan Change area which will create a community focal point in northern Newmarket which will result in greater social and cultural vitality in accordance with B2.2.1(1)(e).

Efficient and in keeping with B2.4.1 (3), B2.2.1(1)(c) and B2.3.1(1)(d) as it enables better use of existing infrastructure through increasing residential development capacity on land with excellent access to public transport, adjacent to the Newmarket Metropolitan Centre and in close proximity to a range of other amenities.

This option is efficient and in keeping with Objective B3.3.1(1)(b) and B2.2.1(d) as it ensures that the additional development potential enabled through the greater height limits

at 8 Clayton Street, 33 Broadway, 2 Alma Street, 47 George Street and 39 George Street.

Limits carparking onsite to ensure that the development contributes to transport mode shift and environmental benefits.

<u>Environmental</u> and Cultural

Will result in positive environmental and cultural effects as the precinct enables buildings of different heights across different parts of the Plan Change area which can respond to the presence of the volcanic viewshaft.

Environmental and Social

Encourages the redevelopment of the Plan Change area to be planned and designed on a comprehensive and integrated basis which will create positive social, and environmental effects.

Social and Cultural

Provides for wellpedestrian designed connections and publicly accessible plaza, that can create a focal point for this end of Newmarket resulting in social and cultural benefits for the community.

is not used for carparking, to support a quality compact urban form and assist with a mode shift to public transport.

This option is effective and is in keeping with Objective B3.3.1(e) as it enhances pedestrian connectivity within Newmarket North and formalises the widely utilised connection between Clayton Street and George Street.

Effective as the additional height enabled by the precinct is in keeping with the height that can generally be achieved across Newmarket, while ensuring that development is in keeping with B4.3.1(1) through ensuring that buildings do not intrude into the Volcanic Viewshaft.

This option has bespoke controls to ensure that development is setback from adjoining sites. The controls have been designed specifically respond to the built context and therefore will result reduced adverse effects environmental accordance with B2.2.1(1)(g).

This option is in keeping with B2.3.1(1)(b) as the Visual Effects Assessment has shown that the higher buildings enabled by the Plan Change will sit comfortably into the existing urban fabric and will be seen as an integral component of the wider Newmarket area. The GFA study (refer **Appendix 4**) has shown that a completely commercial development will not result in significantly more commercial floor space than a complying development under the current provisions. Therefore, the Plan

Change will not detract from the function of Newmarket as a Metropolitan Centre.

The precinct provisions increase pedestrian connectivity, amenity and safety in the area and therefore are effective at achieving Objective B2.3.1(3).

The precinct provisions are efficient in achieving B2.3.1(1)C) as they provide for a broad mix of land uses to provide choice for the community while restricting land uses that will negatively impact the pedestrian environment.

9.3.1.2 Summary of Reasons for Deciding on the Provisions

Option 5 is preferred. Deleting the Height Variation Control and introducing the George Street Precinct, is the most appropriate mechanism for achieving the objectives of the AUP for the following reasons:

- The Plan change is in keeping with B2.4.1 (4) as it increases residential development capacity on highly accessible land adjacent to Newmarket Metropolitan Centre.
- The Plan Change is in keeping with B2.2.1(1)(a) and B2.3.1(a) as it introduces specific provisions which respond to the unique characteristics of the site and will ensure that development results in a quality urban environment. In particular the provisions formalise a very well utilised pedestrian connection between Clayton Street and George Street and ensure that future development will maintain a reasonable level of amenity for the existing and future development at 8 Clayton Street, 33 Broadway, 2 Alma Street, 47 George Street and 39 George Street.
- The additional height enabled in the Precinct is in keeping with B4.3.1(1),B2.3.1(1)(a) and B2.3.1(1)(b) responds to the presence of volcanic viewshafts and the height and proposes maximum height that is generally consistent with what can be achieved in the wider Newmarket area. Supporting evidence regarding the visual effects of the Plan Change has indicated that buildings enabled by the Plan Change will not appear incongruous in the built setting.

- The additional height enabled in the Precinct is in keeping with B2.3.1(1)(b) as the Visual Effects Assessment has shown that the higher buildings enabled by the Plan Change will sit comfortably into the existing urban fabric and will be seen as an integral component of the wider Newmarket area.
- Evidence has been prepared that demonstrates that the height enabled by the Plan Change area can be adequately serviced with existing infrastructure and therefore meets the objectives of the RPS particularly, B2.4.1 (3), B2.2.1(1)(c) and B2.3.1(1)(d).
- The proposed precinct provisions enable the existing pedestrian route from Clayton Street to George Street to be formalised, contributing to an enhanced pedestrian network in northern Newmarket and ensuring that the Plan Change achieves B3.3.1(e).

9.3.2 Theme 2: Standard - Maximum Height

The AUP objectives which have particular relevance for Theme 2 include:

- B2.2.1 (1) A quality compact urban form that enables all of the following: (a) a
 higher-quality urban environment; (b) greater productivity and urban growth;
 (c) better use of existing infrastructure and efficient provision of
 infrastructure; (d) improved and more effective public transport; (e) greater
 social and cultural vitality; and (g) reduced adverse environmental effects.
- B2.3.1 (1) A quality built environment where subdivision, use and development do all of the following: (a) respond to the intrinsic qualities and physical characteristics of the site and area, including its setting; (b) reinforce the hierarchy of centres and corridors; (c) contribute to a diverse mix of choice and opportunity for people and communities; (d) maximise resource and infrastructure efficiency; (e) are capable of adapting to changing needs; and (f) respond and adapt to the effects of climate change.
- B2.3.1(2) Innovative design to address environmental effects is encouraged.
- B2.3.1(3) The health and safety of people and communities are promoted.
- B2.4.1 (1) Residential intensification supports a quality compact urban form.
- B2.4.1 (3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.
- H13.2(6) Moderate to high intensity residential activities and employment opportunities are provided for, in areas in close proximity to, or which can support the City Centre Zone, Business Metropolitan Centre Zone, Business Town Centre Zone and the public transport network.

In determining the most appropriate method for achieving the objectives of the Plan Change, consideration has been given to the following other reasonably practicable options:

- Option 1 Status quo (27m)
- Option 2 Amend the Additional Height Control to the Metropolitan Centre Height Limit (72.5m)
- Option 3 Application of site specific rules to the precinct

9.3.2.1 Evaluation of Other Reasonably Practicable Options

Each of these alternatives is discussed below and a summary of the s32(2) matters for the options are set out in Table 9.3.2.1.

Table 9.3.2.1: Summary of Options Analysis Addressing S32(2) Matters

Benefits	Costs	Efficiency and Effectiveness
Option 1: Status Quo (27m)		
Environmental This option may result in environmental benefits for the surrounding properties as it retains a consistent height limit and planning framework limiting any potential adverse effects which may be generated from further intensification of the site. Cultural Cultural benefits as the existing height limit respects the Volcanic Viewshaft that covers the western portion of the Plan Change area. Social and Economic None identified.	Environmental This option will result in environmental costs because although it retains the existing height limit it does not include bespoke setback standards which will potentially result in greater shading of adjoining properties. This height limit will result in environmental costs as it produces bulkier buildings as the maximum tower dimension and tower separation standard only applies to buildings over 27m high. This option will result in environmental costs as there will be no variance in building height to create visual interest. Social This option will result in social costs as it does not enable the development potential of the site to be realised to contribute to housing supply in a highly accessible location.	Inefficient option as this option does not promote the most efficient use of the site and is not in keeping with Objective B2.2.1(1)(c), B2.2.1(1)(d), B2.4.1(3) which seek to utilise existing infrastructure efficiently and intensify areas of the city that are within close proximity to centres and public transport. This option does not effectively achieve B2.3.1 (1) (a) as it does not recognise the unique qualities of the site that would support a higher height limit such as the large size and that the site is relatively free of the Volcanic Viewshaft. This option does not effectively achieve B2.2.1(1)(g) or B2.3.1(3) as although it will result in buildings that are not as

Cultural and Economic

None Identified.

high as option 2 and 3 these buildings will be located closer to the boundary. This could impact the social wellbeing of residents of 8 Clayton Street where little setback would be required from their balconies.

Option 2: Amend the Height Variation Control to the Metropolitan Centre Height Limit (72.5m)

Environmental

Environmental benefits as this height limit will result in slender buildings as the maximum tower dimension and tower separation standard will apply.

<u>Social</u>

The height limit will have social benefits as it will increase the development potential contributing to a potential increase in housing supply within a highly accessible location.

<u>Cultural and Economic</u> None Identified.

Economic

This option will result in a confusing planning regime and associated economic costs as the height limit will in some instances be higher than what can actually be achieved under the volcanic viewshaft overlay, which covers the western portion of the site.

Environmental

This option will result in environmental costs because it will allow higher buildings with no bespoke setback controls which will potentially result in increased shading and visual dominance of adjoining properties.

The height limit will provide for highly visible buildings on the eastern portion of the site that are substantially higher than what can be achieved in the rest of Newmarket.

Cultural and Social None Identified.

This option more efficient at achieving B2.2.1(1)(c), B2.2.1(1)(d), B2.4.1(3) than Option 1 as it will intensify a site in close proximity to public transport and in doing so will enable more efficient use οf existing infrastructure. As the height limit is not an accurate reflection of what can be built on site due to the presence of volcanic viewshafts it is unlikely that this option is more efficient at achieving these objectives than Option 3.

This option more effectively achieves B2.3.1 (1) (a) than Option 1 as it recognises the unique qualities of the site that would support a higher height limit such as the large size and that the site is relatively free of the Volcanic Viewshaft. This option is not as affective at achieving this Objective as Option 3 as it does not include bespoke precinct controls.

This option does not effectively achieve B2.2.1(1)(g) or B2.3.1(3) as Option 3 as it will result in taller buildings with no bespoke setback from neighbouring sites. This

could impact the social wellbeing of residential neighbours due to increased shading and visual dominance.

Option 3: Proposed Plan Change

Environmental

This option results in environmental benefits as it enables buildings of different, staggered heights across the site creating variety, visual interest and responding to the presence of volcanic viewshafts.

This option results in environmental benefits as it will result in slender buildings as the maximum tower dimension and tower separation standard will apply.

Bespoke assessment criteria ensure that the higher buildings exhibit high quality architecture and integrate with the surrounding landscape.

This option will result in environmental benefits because it incorporates bespoke setback controls to mitigate the visual dominance effects associated with the higher height limit.

Enables lesser height towards the George Street Frontage, to allow buildings to visually integrate into the immediate streetscape and sit within a comfortable relationship to the Auckland Domain and Auckland War Memorial Museum.

Economic

This option imposes a more complex planning regime than simply changing the height limit which may lead to additional compliance costs for the developer.

Environmental

The higher height limits will enable buildings which are more visible than Option 1 however, the precinct includes bespoke criteria to ensure development exhibits quality design.

The taller buildings enabled under this option may result in more shading and visual dominance of neighbouring sites however the effects should be minimised by precinct controls which seek to setback development from neighbouring sites and ensure slender buildings with space around them.

Cultural and Social

None Identified.

This option is in keeping with B2.3.1(1)(b) as the Visual Effects Assessment has shown that the higher buildings enabled by the Plan Change will sit comfortably into the existing urban fabric and will be seen as an integral component of the wider Newmarket area.

This option is the most efficient as it applies a height limit enabling greater development potential on a site which is highly accessible to centres and public transport in accordance with B2.2.1(1)(c), B2.2.1(1)(d) and B4.3.1(1).

The height limit is also effective as it responds to the presence of volcanic viewshafts and therefore is in keeping with B2.3.1(1)(a).

Effective, as the bespoke height control along with the proposed precinct provisions ensures that building height and massing positively integrates development into the surrounding area and responds to the unique site characteristics effectively achieving B2.3.1 (1) (a).

This option is effective in achieving B2.2.1(1)(g) and

Enables lesser height towards the Morgan Street frontage to visually integrate building scale with that enabled on other Mixed Use zone (Height Variation Control) sites in the area.

Enables greater height towards the southern part of the site, where the depth and size of the large urban block within which the site is located, means that a taller building in this area will be seen in a wider built context.

Expert landscape analysis has shown that the proposed height limit will result in visual change that will have positive outcomes because the precinct provisions will provide for slender well designed buildings.

<u>Social</u>

The height limit will have social benefits as it will increase the development potential contributing to a potential increase in housing supply within a highly accessible location.

<u>Cultural</u>

The range of heights provided for are generally in keeping with the height limits that apply to Newmarket under the Volcanic Viewshaft (28-55m).

Economic

None identified.

B2.3.1(3) as although it will result in taller buildings the precinct incorporates bespoke setback controls from neighbouring sites. This will reduce the shading and visual effects dominance to increase the wellbeing of residential neighbours.

9.3.2.2 Summary of Reasons for Deciding on the Provisions

Option 3 is preferred. The application of variable site specific height limits across the site, is the most appropriate mechanism for achieving the objectives of the AUP for the following reasons:

- The proposed height limit is consistent with B2.2.1(1)(c), B2.2.1(1)(d) and B4.3.1(1) as it increases development potential on a site that is serviced by existing infrastructure and public transport.
- The proposed precinct provisions are consistent with B2.3.1(1)(a) as they have been designed to ensure future development responds comprehensively to the intrinsic qualities and physical characteristics of the Plan Change area;
- The additional height enabled in the Precinct is in keeping with B4.3.1(1) and B2.3.1(1)(a) responds to the presence of volcanic viewshafts and the height and proposes maximum height that is generally consistent with what can be achieved in the wider Newmarket area;
- Supporting landscape evidence has indicated that the height enabled by the Plan
 Change will not visually overpower Newmarket Metropolitan Centre as
 development enabled by the Plan Change will be seen as an integral component
 of the wider Newmarket area and will be of an appropriate form and scale for its
 location and therefore this option is in keeping with B2.3.1(1)(b);
- The proposed precinct provisions will ensure that development is in keeping with B2.3.1(3) as taller buildings will have to be setback reducing the shading and visual dominance effects to increase the wellbeing of residential neighbours; and
- Supporting urban design evidence has indicated that the height control along with the proposed precinct provisions ensures that building height and massing positively integrates development into the surrounding area.

9.3.3 Theme 3: Standard – Carparking

The AUP objectives which have particular relevance for Theme 3 include:

B3.3.1 (1) Effective, efficient and safe transport that: (a) supports the movement
of people, goods and services; (b) integrates with and supports a quality compact
urban form; (c) enables growth; (d) avoids, remedies or mitigates adverse effects
on the quality of the environment and amenity values and the health and safety
of people and communities; and (e) facilitates transport choices, recognises
different trip characteristics and enables accessibility and mobility for all sectors
of the community.

9.3.3.1 Other Reasonably Practicable Options for Achieving the Objectives

In determining the most appropriate method for achieving the objectives of the Plan Change, consideration has been given to the following other reasonably practicable options:

- Option 1 Rely on the underlying Auckland-wide E27 Transport provisions
- Option 3 Preferred option Proposed Plan Change (Introduction of an overall carparking maximum of 500 carparks for the Plan Change area)

9.3.3.2 Evaluation of Other Reasonably Practicable Options

Each of these alternatives is discussed below and a summary of the s32(2) matters for the options are set out in Table 9.3.3.1.

It is considered more appropriate to consider the extent to which the options would give effect to the relevant objectives of the AUP Regional Policy Statement and the Auckland - wide provisions; as opposed to the Plan Change itself (which would otherwise result in circular reasoning).

Table 9.3.3.1: Summary of Options Analysis Addressing S32(2) Matters

Benefits	Costs	Efficiency and Effectiveness	
Option 1: Rely on the underlying Auckland-wide E27 Transport provisions			
Economic Increases the flexibility of the developer of the site to provide more carparking if desired. Benefits the developer who may not be able to achieve a higher price for apartments with more carparking.	Economic Utilises existing provisions from the AUP Which are more complex to apply than a carpark limit. Environmental This option could potentially result in increased traffic impacts on the wider network, which is already under pressure.	This option is the most efficient and effective option at achieving B3.3.1 (1) as it will increase congestion in Newmarket and doesn't encourage travel behaviour change, network.	
Social, Cultural and Environmental None Identified.	This option does not encourage active or public transport modes contributing to travel behaviour change. Social and Cultural None Identified.		
Option 2: Proposed Plan Change			

Environmental

This option assists with reducing traffic impacts on the wider network and assists with increasing the use of active and public transport modes and ultimately leading to a transport mode shift.

Limits the vehicle movements that would likely otherwise result from a higher number of carparks, and therefore to limit the potential for effects on the pedestrian environment.

Economic

A less complex set of planning provisions will apply within the Plan Change area potentially resulting in a simplified consenting process which will have economic benefits to the developer.

Social and Cultural

None Identified.

Economic

Limits the flexibility of the developer of the site to provide more carparking if desired.

The carpark limit will potentially result in costs to the developer who may not be able to achieve as higher price for apartments with limited carparking.

Social, Cultural and Environmental
None Identified.

This option is the most efficient and effective option at achieving B3.3.1 (1) as limits carparking in a accessible highly and connected area to encourage public transport and active modes while reducing effects on the already congested surrounding transport network.

9.3.3.3 Summary of Reasons for Deciding on the Provisions

Option 2 is preferred. The introduction of an overall carparking maximum for the Plan Change area, is the most appropriate mechanism for achieving the objectives of the AUP for the following reasons:

 The proposed precinct provisions are consistent with B3.3.1 (1) as they have been designed to take advantage of the Plan Change area's excellent accessibility to public and active modes of transport assisting with travel behaviour change, while managing the effects of the Plan Change on the wider transport network.

9.3.4 Theme 4: Landscape Setting

The AUP objectives which have particular relevance for Theme 4 include:

• B4.2.1 (1) Outstanding natural features and landscapes are identified and protected from inappropriate subdivision, use and development.

- B4.2.1(2) The ancestral relationships of Mana Whenua and their culture and traditions with the landscapes and natural features of Auckland are recognised and provided for.
- B4.2.1(3) The visual and physical integrity and the historic, archaeological and cultural values of Auckland's volcanic features that are of local, regional, national and/or international significance are protected and, where practicable, enhanced.

9.3.4.1 Other Reasonably Practicable Options for Achieving the Objectives

In determining the most appropriate method for achieving the objectives of the Plan Change, consideration has been given to the following other reasonably practicable options:

- Option 1 Do not include provisions that specifically provide for the landscape setting of the proposal
- Option 2 Preferred option Proposed Plan Change (The inclusion of Objective 1¹¹ and Assessment Criterion IX8.2(1)(i)¹²) for new buildings and additions and alterations)

9.3.4.2 Evaluation of Other Reasonably Practicable Options

Each of these alternatives is discussed below and a summary of the s32(2) matters for the options are set out in Table 9.3.4.1.

It is considered more appropriate to consider the extent to which the options would give effect to the relevant objectives of the AUP Regional Policy Statement and the Auckland - wide provisions; as opposed to the Plan Change itself (which would otherwise result in circular reasoning).

Table 9.3.4.1: Summary of Options Analysis Addressing S32(2) Matters

Benefits	Costs	Efficiency and Effectiveness
Option 1 Do not include provisions that specifically provide for the landscape setting of the proposal		

¹¹ Objective 2: A greater scale of height is enabled within a location that is highly accessible to public transport and other amenities, while ensuring buildings do not dominate the skyline when viewed from around the city., and the visual prominence of Auckland Museum is maintained.

¹² IX8.2(1)(i): Responds to their surrounding context, including their landscape setting beside the Auckland Domain.

Economic

A less complex set of planning provisions will apply within the Plan Change area potentially resulting in a simplified consenting process which will have economic benefits to the developer.

Social, Cultural and Environmental

None Identified.

Environmental

Pukekawa/Auckland Domain is scheduled as an Outstanding Natural Feature. Although this option will not physically affect Pukekawa it does not recognise the potential for landscape/visual effects.

Cultural

This option does not recognise potential adverse effects on the ancestral relationship of Mana Whenua with Pukekawa which could arise from development not being assessed against its landscape context.

Social and Economic
None Identified.

This option will effectively and efficiently achieve B4.2.1(2) and B4.2.1(3) as there is no assessment criteria to trigger an assessment of development within the landscape context resulting in a lack of recognition of the importance of Pukekawa to Mana Wheuna.

Option 2: Proposed Plan Change

Environmental

The Visual and Landscape assessment has demonstrated that the Plan Change will not affect the physical and visual integrity, aesthetic values and memorability of the ONF Pukekawa/Auckland Domain.

The inclusion of assessment criteria IX8.2(1)(i) will ensure that future development is assessed to ensure it does not have adverse visual or landscape effects on Pukekawa/Auckland Domain.

<u>Cultural</u>

This option requires development within the Plan Change area to be assessed against its landscape context which in doing so recognises the ancestral relationship of Mana Whenua with Pukekawa.

lwi authority representatives do not object to the additional

Economic

Applies additional assessment criteria within the Plan Change area potentially resulting in a more complex consenting process which will have economic costs to the developer.

Social, Cultural and Environmental

None Identified.

This option will effectively and efficiently achieve B4.2.1(2) as the proposed assessment criteria will require assessment of development within the landscape context recognising the importance of Pukekawa Wheuna. tο Mana Furthermore, Iwi have confirmed that the loss of the identified view (which will also result from permitted development) can be culturally offset and there is triggers within the proposed assessment criteria to ensure that the design process integrates mātauranga and tikanga.

This option will effectively and efficiently achieve B4.2.1(3) as the Visual and Landscape assessment has demonstrated that the Plan Change will not affect the physical and visual integrity, aesthetic values

height sought if the impact of	and memorability of the
the loss of the view to	ONF Pukekawa/Auckland
Maungakeikei from Pukekawa	Domain and assessment
is culturally offset within the	criteria have been included
final design of the	to ensure that assessment
development. The applicant	of future development
will continue to work with Iwi	takes into account the
regarding cultural offsetting	landscape setting beside
and there is a trigger within	Pukekawa/Auckland
the assessment criteria	Domain.
(IX.8.2(1)(a)(v) to ensure that	
the design process integrates	
mātauranga and tikanga.	
Social and Economic	
None Identified.	

9.3.4.3 Summary of Reasons for Deciding on the Provisions

Option 2 is preferred. The inclusion of Objective 1¹³ and Assessment Criterion IX8.2(1)(i), is the most appropriate mechanism for achieving the objectives of the AUP for the following reasons:

• The proposed precinct provisions are consistent with B4.2.1(2) and B4.2.1(3) as the Visual and Landscape assessment has demonstrated that the Plan Change will not affect the physical and visual integrity, aesthetic values and memorability of the ONF Pukekawa/Auckland Domain however, the inclusion of assessment criteria ensures that the importance of the relationship of development within the Plan Change area with its landscape setting beside Pukekawa is always a consideration.

9.4 RISK OF ACTING OR NOT ACTING

In this case, there is sufficient information about the subject matter of the provisions to determine the range and nature of environmental effects of the options set out in Tables 9.3.1.1, 9.3.2.1 and 9.3.3.1 above. For this reason, an assessment of the risk of acting or not acting is not required.

¹³ Objective 2: A greater scale of height is enabled within a location that is highly accessible to public transport and other amenities, while ensuring buildings do not dominate the skyline when viewed from around the city., and the visual prominence of Auckland Museum is maintained.

10.0 CONCLUSION

This report has been prepared in support of NHDLP's request for a Plan Change to the provisions of the AUP to introduce the George Street Precinct at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street.

The request has been made in accordance with the provisions of Schedule 1; Section 32 of the Resource Management Act 1991.

Based on an assessment of environmental effects and specialist assessments, it is concluded that the proposed Plan Change will have positive effects on the environment in terms of the social and economic well-being of the community. Other potential effects are able to be managed through the application of the AUP zone and Auckland-wide provisions.

An assessment against the provisions of section 32 of the RMA is provided in section 9 of the report. This includes an analysis with respect to the extent to which the objectives of the plan change are the most appropriate to achieve the purpose of the RMA and an examination of whether the provisions of the plan change are the most appropriate way to achieve the objectives.

For the above reasons, it is considered that the proposed Plan Change accords with the sustainable management principles outlined in Part 2 of the RMA and should be accepted and approved.

AUTHORS

Evita Key / Rebecca Sanders

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Senior Associate / Associate, Barker & Associates Ltd

Date: 09/04/2020

REVIEWER:

Nick Roberts

Director, Barker & Associates Ltd

Date: 09/04/2020