
Request for Private Plan Change



**Central
Park** by Oyster

666 Great South Road

CP Auckland LP

Assessment of Environmental Effects

& Section 32 Analysis

September 2019

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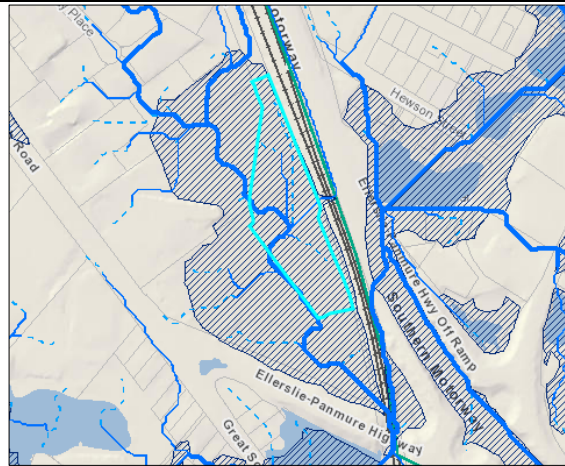
Supporting Documents Provided

- A. Certificates of Title
- B. Proposed Plan Change Amendments to Auckland Unitary Plan
- C. Urban Design Framework and Landscape Visual Assessment Report prepared by Context Architects
- D. Transport Impact Assessment, prepared by Traffic Planning Consultants
- E. Economic Assessment Report, prepared by Property Economics
- F. Infrastructure Report, prepared by Blue Barn
- G. Geotechnical and Ground Contamination Assessment prepared by Tonkin & Taylor

1 APPLICANT AND PROPERTY DETAILS

APPLICANT AND PROPERTY DETAILS	
Applicant	CP Auckland LP
Site	666 Great South Road, Ellerslie
Address for service	Tattico Limited PO Box 91562 Victoria Street Auckland 1142 Attention: Mark Vinall mark.vinall@tattico.co.nz
Legal Descriptions	Lot 1 DP 126867, comprised in RT NA74A/263
Site Area	1.1577 hectares
Auckland Unitary Plan: Operative in Part	
Zone	Business - Business Park Zone
Precinct	Central Park Precinct
Overlays	<ul style="list-style-type: none"> ▪ Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Onehunga Volcanic Aquifer ▪ Natural Resources: Quality-Sensitive Aquifer Management Areas Overlay [rp] - Onehunga Volcanic Aquifer ▪ Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - W26, Mount Wellington, Viewshafts
Controls	<ul style="list-style-type: none"> ▪ Controls: Macroinvertebrate Community Index - Urban
Road Classification	<ul style="list-style-type: none"> ▪ Great South Road – Arterial Road
Designations	<ul style="list-style-type: none"> ▪ Notice of Requirements, NoR 7: Proposed Northern Runway, Airspace Restriction Designations, Notified, 15/02/2018
Council GeoMaps Layers	

Catchment and Hydrology
(Flood Prone Area and
Overland Flow Path)



Brief description of proposal

- Plan change to rezone 666 Great South Road from Business Park zone to Business Mixed Use, the introduction of a height variation control and the removal of the site from the Central Park Precinct.

2 INTRODUCTION

2.1 Background

The applicant, CP Auckland LP, is seeking a private plan change (**the plan change**) to the Auckland Unitary Plan (Operative in Part) 2016 (**Unitary Plan**). The plan change seeks to rezone land on the eastern side of 'Central Park' from Business Park zone to Business – Mixed Use zone. Central Park is an office park campus located at 666 Great South Road, Ellerslie.

There is currently a Precinct Plan (I308 Central Park Precinct) in place for Central Park. The purpose of the Central Park Precinct is to provide for employment and office activities within an office park environment.

The proposed plan change will enable the applicant to provide a greater mix of activities on the site, including residential activity. The Business Mixed Use zone provides for residential activity as well as predominantly smaller scale commercial activity. The zone does not specifically require a mix of uses on individual sites or within areas. Given the Business Mixed Use zone is a transition zone, typically located around centres and along transport corridors the range of activities enabled is not intended to cumulatively affect the function, role and amenity of the Ellerslie Town Centre.

The proposed plan change will also provide for additional building height through the addition of a height variation control allowing building height comparable with other permitted building heights across the wider Central Park Precinct.

2.2. Purpose of the Report

The purpose of this report is to introduce and assess a proposal to change the zoning of the site from Business – Park Zone to Business – Mixed Use and, remove the site from the Central Park Precinct and provide additional building height on the site and remove the maximum floor area ratio (**FAR**) and gross floor area (**GFA**) limits for development within the Precinct.

The plan change includes the following key aspects:

- Rezone the site Business Mixed Use replacing the Business Park Zone and Central Park Precinct;
- Add a Height Variation Control to the site to enable building height to a level of 66.5m above mean sea level;

- Delete the maximum FAR and GFA limits for development within the Central Park Precinct; and
- Any other changes to the Unitary Plan as are necessary as a consequence of the above.

The purpose of this report is to:

- Provide sufficient information to provide a full understanding of the proposal and the need for the private plan change process.
- Provide a summary of the assessment of effects that the proposed plan change may have on the environment, in particular on surrounding land uses.
- Provide the analysis required under Section 32 of the Resource Management Act 1991 (**RMA**) to undertake a plan change.
- Provide a summary of the consultation undertaken to date on the plan change.

The report includes the following sections:

- **Section 1** includes a description of the applicant and property details;
- **Section 2** describes the background to the plan change and the history of the Central Park site.
- **Section 3** outlines the site location and existing environment.
- **Section 4** provides a description of the plan change request
- **Section 5** provides a description of the statutory framework and provides an assessment of the proposal relative to Part 2 of the RMA, the Regional Policy Statement and the District Plan.
- **Section 6** – provides an outline of the statutory considerations for the plan change.
- **Section 7** – provides an assessment of the potential environmental effects of development of the site in accordance with the plan change.
- **Sections 8 and 9** – provides an assessment of the proposal in accordance with the section 32 requirements of the RMA.
- **Section 10** – provides an overview of consultation undertaken on the plan change.

2.3. Supporting Technical Reports

In addition to this report, a number of technical reports have been prepared to assist in the preparation of the plan change. The reports are attached in full to this report and include:

- Urban Design Framework and Visual Assessment Report (Attachment C);
- Transport Assessment Report (Attachment D);

- Economic Report (Attachment E).
- Infrastructural Report (Attachment F); and
- Geotechnical and Ground Contamination Investigation Report (Attachment G).

2.4. Site History

Aurora Group Limited purchased the 8 hectare Reid Rubber site in 1985 and embarked on the development of an office park. A northern 1.84 hectare portion of the site was sold off and in 1989 a Consent Order was issued for an approved master development plan for the site. This Consent Order and subsequent resource consent approved in 1993 formed the basis of the provisions of the Concept Plan and Business 8 zoning of the site in the Auckland City District Plan (Isthmus Section 1993). The concept plan was only partially implemented.

Goodman purchased the site in 2002 and further developed the office park site with the addition of new commercial and carparking buildings. Goodman lodged a private plan change to introduce a revised Concept Plan for Central Park in 2009 to provide for a revised concept plan layout. The plan change was approved and incorporated into the Isthmus District Plan (Legacy Plan). The Concept Plan was largely 'rolled over' into the Central Park Precinct in the Unitary Plan.

The business park was purchased by KKR and Oyster Group in June 2018. Since purchasing the site, Oyster Group has embarked on a precinct revitalisation project to further develop and improve the amenity of the business park.

Existing development within Central Park includes the following:

- a) 11 buildings comprising 45,091m² GFA of office, retail/food and beverage, childcare centre, and gymnasium activities; and
- b) Parking for 2,340 vehicles contained within four buildings: the northern car park building; southern car park building; Building 10 car park and 'Building 9' podium car park, at-grade parking on the plan change site; and on-street parking throughout the business park.

2.5. Resource Consents

The following resource consent applications have been recently lodged and / or approved:

- a) Resource consent to undertake an 18 lot subdivision around the existing development on the site and associated boundary adjustment has been approved in 2019. The approved subdivision includes:

- The creation of new steps to the eastern end of the plaza area to integrate the development with the existing ground level at this location.
- The establishment of food and beverage activities within the ground floor of 'Building 10', together with associated outdoor seating areas for 258 customers, including two covered pergola structures. The establishment of two food trucks and a 'pop-up' food stall, together with two associated covered outdoor seating for 122 customers.
- The creation of a shared surface to Puka Street (to the south west of the plaza area).
- The creation of traffic calming devices and raised pedestrian crossings to improve pedestrian circulation about the area.
- New wayfinding and identification signage.

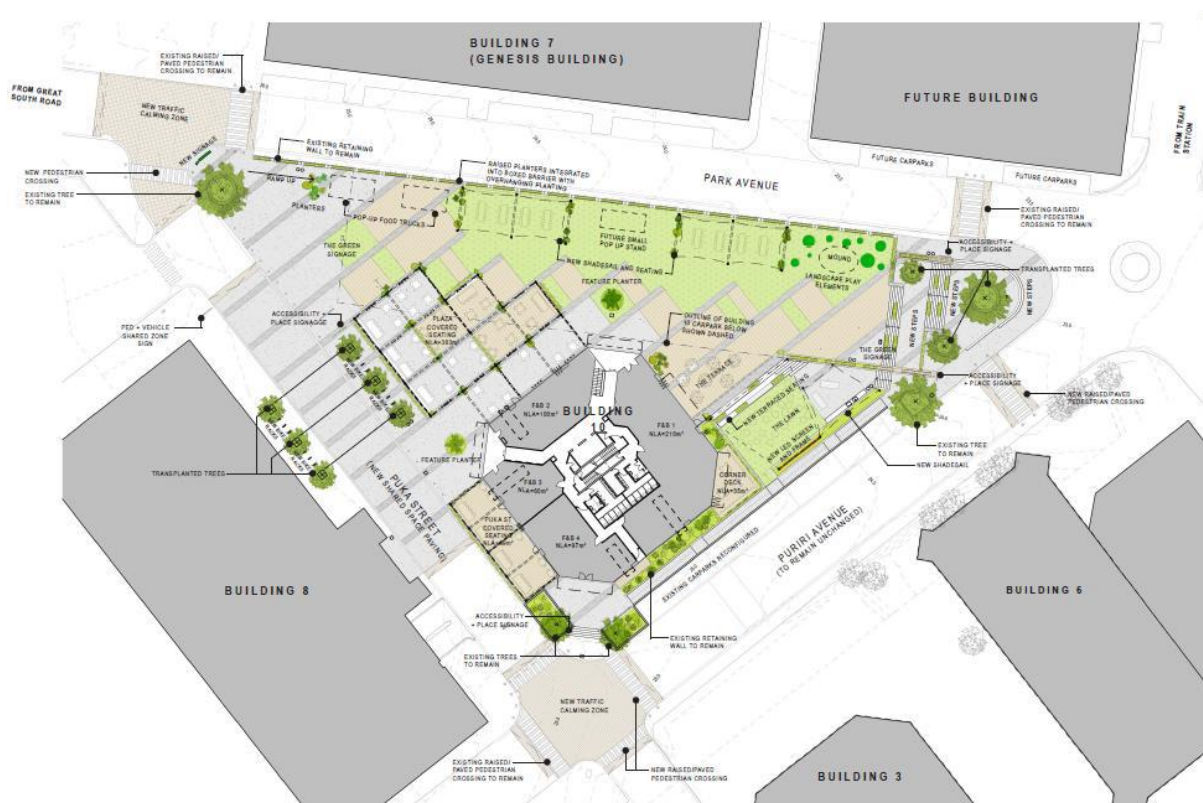


Figure 2: Proposed Pedestrian Plaza

- c) Resource consent to establish a new five level office building on Lot 13 with a GFA of 6,485m² has been recently lodged and is currently being processed by Auckland Council.



Figure 3: Southern and Eastern Façade of Proposed Office Building Lot 13

3 SITE LOCATION AND DESCRIPTION OF SURROUNDS

3.1. Site Location

Central Park is strategically located between Great South Road and the Southern Motorway, adjacent to the Ellerslie - Panmure Highway Interchange. The business park is held in single ownership.

The Central Park business park is approximately 6.2 hectares in area and is largely triangular in shape. The business park comprises 11 multi-level buildings used for commercial office activity. There are a mix of ground floor activities and amenities including a fitness centre, childcare centre, bank and two café's.

There are a range of building heights across the precinct with the tallest building being 10 storeys (34m) and others ranging between 3-6 storeys (10-20m). The precinct also contains dedicated carparking building of up to 5 storeys. Other parking is provide at-grade.

The subject site and area of the plan change is highlighted in **Diagram 1** below. The legal description of the site is Part Lot 1 DP 126867, comprised in RT NA74A/263. The most recent subdivision application illustrates the site as Lot 15 on the Scheme Plan referred to in section 2.5 above. The site has an area of 1.3577 hectares.

The site is elongated and borders the North Island Main Trunk rail line and State Highway 1 (Southern Motorway) to the east. A densely planted row of mature Pohutukawa trees separates the site from these primary transport routes and provides some amenity to the site. To the north, west and south, the site adjoins the neighbouring business park.



Diagram 1: Site Location

3.2. Site Topography and Landform

The Central Park land is generally flat and level with Great South Road, sloping gently towards the south-east. Central Park sits below the elevated embankment of the Ellerslie – Panmure Highway Interchange with the railway line to the east also located on an embankment which varies in level.

The plan change site is largely flat, being currently used for at grade car parking serving the adjoining business park operations and sits approximately 6m below the adjacent rail line. The established level changes are due to an underground stormwater detention tank located beneath part of the site. The ground level ranges from 22-24 metres above mean sea level.

The site is also subject to a number of easements for overland flow and the large underground stormwater detention tank which serves the wider catchment. While the detention tank is not a public asset, there is a requirement that it is maintained by the owners of the site. The easements

include RL's for floor levels of future buildings to protect against the risk of flooding on the site in the event of a blockage of the adjacent motorway culverts.

Published geological maps indicate the site to be underlain by fine-grained basalt and basanite lava from the Mt Smart volcanic centre of the Auckland Volcanic Field. Previous investigations have shown a layer of volcanic ash consisting of stiff to very stiff silt overlies the basalt. A historic geotechnical assessment undertaken by Tonkin & Taylor (**T&T**) for building development on the site is included in **Attachment G**.

Local groundwater information indicates that the depth of groundwater is likely to be at least 5 metres below ground surface. Groundwater in the underlying basalt rock is known to flow in a south to south-westerly direction towards Manukau Harbour.

The site has been tagged by Council as being potentially contaminated due to previous land uses.

3.3. Access

The main vehicle access to the site is from Great South Road via a controlled intersection, with secondary access via Sultan Street to the north of the site. The road network with the business park is privately owned with access secured by easement. Roading within the business park is narrow and in some cases without berms or footpaths. While the narrow road reserves create a slow-speed environment, the street conditions are not overly hospitable for pedestrians and there are no existing cycle lanes through the Business Park.

Small to medium sized native trees, underplanting, texture shrubs and flaxes are consistent through the site in the public areas to form maintained hedges and islands, but there are no dedicated public open spaces.

Pedestrian access to the site is provided via the internal road network. There is a controlled pedestrian crossing at the Great South Road intersection with Park Avenue providing access to the west side of Great South Road. An underpass located on Sultan Street, just to the north of the site connects the subject site to the Ellerslie Train Station and to Ellerslie Town Centre on the eastern side of the Southern Motorway.

The subject site is well located to multiple transport modes including cycling, and train. Roading infrastructure surrounding the site provides direct access to the motorway network and major arterial

routes to the North, South and East. The site is located approximately 6km from the CBD. By car it takes 15 minutes (in moderate traffic) to get to the CBD, Parnell, Mission Bay, Botany or Manukau and less than 10 minutes to Newmarket, Onehunga and Sylvia Park, which all provide opportunities for work and recreation.

3.4. Surrounding Locality

The surrounding land uses are described in the Urban Design report contained in **Attachment C**. Central Park is located proximate to the Ellerslie Town Centre, the Ellerslie-Panmure Highway Interchange with SH1, the Ellerslie Rail Station and major bus routes running along Great South Road. Ellerslie Primary School and One Tree Hill College are located nearby. It is also in close proximity to employment areas in Ellerslie, Mount Wellington, Sylvia Park and Penrose, and has excellent access to the City Centre via the rail, bus and car.

To the north and north-west of the site the land bounded by the Southern Motorway, Main Highway and Great South Road is characterised by medium rise commercial development providing predominantly office activities and supporting services in campus style layouts. This land is zoned Business Mixed Use to reflect the mix of commercial activities, proximity to the Ellerslie Town Centre and main transport corridors. The Business Mixed Use zone also applies to a number of properties fronting Great South Road, where commercial activities have established.

To the west is Great South Road, a wide and busy arterial road with a mixture of residential, commercial and light industrial activities fronting the street which provides no coherent building pattern. Rather, it is best described as having a coarse development pattern with a mixture of building forms bearing little relationship to the street (car yards, at grade parking, school grounds, petrol stations). Beyond the commercial frontage to Great South Road is the residential suburb of Oranga, which is characterised by low and medium intensity residential development. This suburb is predominantly zoned Mixed Housing Suburban. One Tree Hill College is located directly opposite Central Park and the school's playing fields are located adjacent to the Great South Road frontage.

To the east of the Southern Motorway corridor is the suburb of Ellerslie which is currently characterised by low to medium intensity residential development and the main Ellerslie Town Centre (zoned Business Town Centre) which constraints a mix of retail, commercial service and food and beverage activities centred on Main Highway. The town centre is typical of main street, strip retail development with 1-2 story buildings fronting the street. There are a range of community services and facilities provided in the Ellerslie area. Residential land surrounding the town centre has been

zoned Terrace House and Apartment Building (THAB) and Mixed Housing Urban (MHU) to provide more intensive residential development close to the town central and key transport modes. An area of character housing bounded by Ramsgate Street, Main Highway, Cawley Street and the southern motorway is zone Single House and has a character overlay.

To the south are the industrial areas of Penrose and Mt Smart which provides for a range of light and heavy industrial uses including manufacturing, warehousing, storage and automotive and transport servicing. This land is included in both the Light and Heavy Industrial zones and is a large employment area.

Other local town centres within proximity include Greenlane, Royal Oak and Onehunga. Ellerslie Domain is the closest open space, 1.1km or a 13minute walk, using the pedestrian underpass on Sultan Street. Cornwall Park, Auckland's large open space amenity including Maungakiekie, is located within 30 minutes' walk from this site. Cornwall Park offers a multitude of options for recreation. Other smaller reserves are located within the suburbs of Ellerslie and Oranga.

4 DESCRIPTION OF PLAN CHANGE REQUEST

Full details of the proposed amendments to the Unitary Plan are provided in the draft plan change provisions included as **Attachment B** to this report. A summary of the proposed changes is provided below.

4.1 Description of Plan Change Request

The proposed plan change seeks to rezone the site from Business Park to Business Mixed use, removes the site from the Central Park Precinct, introduces a height variation control for the site to provide for a building height of 44m (66.5m above mean sea level) and removes the maximum FAR and GFA limits for development within the Precinct.

4.2. Amendments to the Unitary Plan Zoning Maps

Zones manage the way in which areas of land are to be used, developed or protected. The spatial application of zones generally identifies where similar uses and activities are anticipated. All land within the Auckland region is zoned, except for roads. Zones are identified on the planning maps.

The site is located in the Business Park zone. The proposed plan change seeks to rezone the site Business Mixed Use zone.

4.3. Amendments to the Unitary Plan Precinct Layer

Precincts enable local differences to be recognised by providing detailed place-based provisions which can vary the outcomes sought by the zone or Auckland-wide provisions and can be more restrictive or more enabling. In certain limited circumstances the rules in a precinct vary the controls of an overlay, either by being more restrictive or more enabling. However, the general approach is that overlays take precedence over a precinct. Precinct areas are identified on the planning maps.

The site is located within the Central Park Precinct. The proposed plan change seeks to remove the site from the Central Park Precinct and make consequential amendments to the precinct provisions and precinct plans.

The proposed amendments to the Central Park precinct provisions include:

- a. Delete I308.6.3(1) relating to maximum site intensity for the precinct.
- b. Amend I308.6.7 Pedestrian Connection to remove the indicative pedestrian link from the site and over the Southern Motorway.
- c. Amend I308.10.1 Central Park: Precinct Plan 1 – Central Park building heights to remove the site from the plan.
- d. Amend I308.10.2 Central Park: Precinct Plan 2 – Central Park urban design framework to remove the site from the plan.
- e. Amend I308.6.8 Car Parking to exclude above ground parking buildings from the calculation of gross floor area to determine the quantity of required car parking.

The original plan change (PC227 to the Isthmus District Plan) excluded the required above-ground car parking from the calculation of GFA. The precinct includes the same GFA limits, however the Unitary Plan definition of GFA includes above-ground car parking. This is not a matter generated by the proposal, but an oversight that came about in the process to incorporate the precinct into the Unitary Plan that needs to be addressed as it undermines the development potential of the precinct given that there is a requirement to provide a minimum level of car parking.

4.4. [Amendments to the Unitary Plan Controls](#)

In addition to the zoning maps, zone rules which have a spatial component such as the Height Variation Control are identified on the planning maps.

The proposed plan change seeks to introduce a height variation control for the site to enable a building height of 44m (66.5m above mean sea level).

5 STRATEGIC FRAMEWORK

5.1 National Policy Statement on Urban Development Capacity 2016

The National Policy Statement on Urban Development Capacity 2016 (“the NPS”) came into effect on 1 December 2016. The NPS provides direction to decision-makers under the RMA on planning for urban environments. It recognises that national significance of well-functioning urban environments, with particular focus on ensuring that local authorities, through their planning, both:

- *enable urban environments to grow and change in response to the changing needs of the communities, and future generations; and*
- *provide enough space for their populations to happily live and work. This can be both through allowing development to ‘go up’ by intensifying existing urban areas, and ‘out’ by releasing land in greenfield areas.*

The NPS sets out objectives that apply to all decision-makers when making planning decisions that affect an urban environment. The plan change seeks to enable the intensification of activity in urban areas by enabling residential opportunities in close proximity to public transport facilities. The plan change accords with the NPS on Urban Development Capacity.

5.2 Auckland Unitary Plan

The Unitary Plan sets out Auckland Council’s Resource Management Strategy for the region. The Plan combines the regional policy statement, regional coastal plan, regional plans and district plans into one combined plan. The Plan has a hierarchical policy framework with the regional policy statement at the top, then with regional and district plan provisions giving effect to the regional policy statement.

5.3 Regional Policy Statement

The Auckland Unitary Plan: Regional Policy Statement identifies the following nine issues of regional significance for resource management in Auckland:

- Issue 1 Urban growth and form
- Issue 2 Infrastructure, transport and energy
- Issue 3 Built heritage and character

- Issue 4 Natural heritage (landscapes, natural features, volcanic viewshafts and trees)
- Issue 5 Issues of significance to Mana Whenua
- Issue 6 Natural resources
- Issue 7 The coastal environment
- Issue 8 The rural environment
- Issue 9 Environmental risk

The most relevant issue to this application is Issue 1 urban growth and form.

5.1.1. Urban Growth and Form

Issue 1 relates to Urban growth and form and seeks to provide Auckland's growing population in a way that:

- enhances the quality of life for individuals and communities;
- supports integrated planning of land use, infrastructure and development;
- optimises the efficient use of the existing urban area;
- encourages the efficient use of existing social facilities and provides for new social facilities;
- enables provision and use of infrastructure in a way that is efficient, effective and timely;
- maintains and enhances the quality of the environment, both natural and built;
- maintains opportunities for rural production; and
- enables Mana Whenua to participate and their culture and values to be recognised and provided for.

The main objectives for Urban growth and form in B2.2.1. Objectives that is relevant to the plan change is set out below:

- a. A quality compact urban form that enables all of the following:*
 - (a) a higher-quality urban environment;*
 - (b) greater productivity and economic growth;*
 - (c) better use of existing infrastructure and efficient provision of new infrastructure;*
 - (d) improved and more effective public transport;*
 - (e) greater social and cultural vitality;*
 - (f) better maintenance of rural character and rural productivity; and*
 - (g) reduced adverse environmental effects.*

Associated policies that are relevant to the plan change include:

Development capacity and supply of land for urban development

- (1) *Include sufficient land within the Rural Urban Boundary that is appropriately zoned to accommodate at any one time a minimum of seven years' projected growth in terms of residential, commercial and industrial demand and corresponding requirements for social facilities, after allowing for any constraints on subdivision, use and development of land.*

Quality compact urban form

- (4) *Promote urban growth and intensification within the urban area 2016 (as identified in Appendix 1A), enable urban growth and intensification within the Rural Urban Boundary, towns, and rural and coastal towns and villages, and avoid urbanisation outside these areas.*
- (5) *Enable higher residential intensification:*
 - (a) *in and around centres;*
 - (b) *along identified corridors; and*
 - (c) *close to public transport, social facilities (including open space) and employment opportunities.*

The main objectives for a quality built environment in B2.3. Objectives that are relevant to the plan change are set out below:

- (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.*
- (2) *Innovative design to address environmental effects is encouraged.*
- (3) *The health and safety of people and communities are promoted.*

Associated policies that are relevant to the plan change include:

- (1) *Manage the form and design of subdivision, use and development so that it does all of the following:*
 - (a) *supports the planned future environment, including its shape, landform, outlook, location and relationship to its surroundings, including landscape and heritage;*
 - (b) *contributes to the safety of the site, street and neighbourhood;*
 - (c) *develops street networks and block patterns that provide good access and enable a range of travel options;*
 - (d) *achieves a high level of amenity and safety for pedestrians and cyclists;*
 - (e) *meets the functional, and operational needs of the intended use; and*

- (f) *allows for change and enables innovative design and adaptive re-use.*

- (2) *Encourage subdivision, use and development to be designed to promote the health, safety and well-being of people and communities by all of the following:*
 - (a) *providing access for people of all ages and abilities;*
 - (b) *enabling walking, cycling and public transport and minimising vehicle movements; and*
 - (c) *minimising the adverse effects of discharges of contaminants from land use activities (including transport effects) and subdivision.*
- (3) *Enable a range of built forms to support choice and meet the needs of Auckland's diverse population.*
- (4) *Balance the main functions of streets as places for people and as routes for the movement of vehicles.*
- (5) *Mitigate the adverse environmental effects of subdivision, use and development through appropriate design including energy and water efficiency and waste minimisation*

The main objectives for residential growth in B2.4. Objectives that are relevant to the plan change are set out below:

- (1) *Residential intensification supports a quality compact urban form.*
- (2) *Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.*
- (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.*
- (4) *An increase in housing capacity and the range of housing choice which meets the varied needs and lifestyles of Auckland's diverse and growing population.*

Associated policies that are relevant to the plan change include:

- (1) *Provide a range of residential zones that enable different housing types and intensity that are appropriate to the residential character of the area.*
- (2) *Enable higher residential intensities in areas closest to centres, the public transport network, large social facilities, education facilities, tertiary education facilities, healthcare facilities and existing or proposed open space.*
- (3) *Provide for medium residential intensities in area that are within moderate walking distance to centres, public transport, social facilities and open space.*
- (4) *Provide for lower residential intensity in areas:*
 - (a) *that are not close to centres and public transport;*
 - (b) *that are subject to high environmental constraints;*
 - (c) *where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character; and*
 - (d) *where there is a suburban area with an existing neighbourhood character.*
- (5) *Avoid intensification in areas:*

- (a) where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character; or*
- (b) that are subject to significant natural hazard risks; where such intensification is inconsistent with the protection of the scheduled natural or physical resources or with the avoidance or mitigation of the natural hazard risks.*
- (6) Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification.*
- (7) Manage adverse reverse sensitivity effects from urban intensification on land with existing incompatible activities. Residential neighbourhood and character*
- (8) Recognise and provide for existing and planned neighbourhood character through the use of place-based planning tools.*
- (9) Manage built form, design and development to achieve an attractive, healthy and safe environment that is in keeping with the descriptions set out in placed-based plan provision.*

The objective of a quality compact urban form is supported by a primary policy approach of focusing residential intensification in and around commercial centres and transport nodes and along major transport corridors.

In addressing the effects of growth, a key factor is enabling sufficient development capacity in the urban area and sufficient land for new housing and businesses over the next 30 years. The objectives and policies guide the location of urban growth areas. They also set out the process to be followed to ensure that urban development is supported by infrastructure on a timely and efficient basis.

Housing affordability is a significant issue in Auckland. The objectives and policies, as one component of the many things that need to be done to address this issue, seek to enable urban growth, improve development capacity and encourage a variety of housing types and sizes as resource management methods to improve housing affordability.

The site is located within an established area of urban Auckland, in close proximity to existing centres, transport and other services and amenities. The plan change is consistent with the policy direction and supports a compact urban form by enabling residential intensification in an established urban area close to transport services and commercial centres. Development of the site is able to connect to existing infrastructure making efficient use of land infrastructure investment.

A quality built environment is one which enhances opportunities for people's well-being by ensuring that new buildings respond to the existing built and natural environment in ways that promote the Unitary Plan's objectives and maintain and enhance the amenity values of an area. In most areas this

is regulated by permitted standards and by assessment where those standards are exceeded. In the Business Mixed Use zone, where higher intensity development is enabled, the design and appearance of buildings is assessed on a restricted discretionary basis to ensure a quality built form.

The objectives and policies for commercial and industrial growth in B2.5.

- (1) *Employment and commercial and industrial opportunities meet current and future demands.*
- (2) *Commercial growth and activities are primarily focussed within a hierarchy of centres and identified growth corridors that supports a compact urban form.*

Associated policies relevant to the plan change include:

- (1) *Encourage commercial growth and development in the city centre, metropolitan and town centres, and enable retail activities on identified growth corridors, to provide the primary focus for Auckland's commercial growth.*
- (2) *Support the function, role and amenity of centres by encouraging commercial and residential activities within centres, ensuring development that locates within centres contributes to the following:*
 - (a) *an attractive and efficient urban environment with a distinctive sense of place and quality public places; (b) a diverse range of activities, with the greatest mix and concentration of activities in the city centre;*
 - (b) *a distribution of centres that provide for the needs of people and communities;*
 - (c) *employment and commercial opportunities;*
 - (d) *a character and form that supports the role of centres as focal points for communities and compact mixed-use environments;*
 - (e) *the efficient use of land, buildings and infrastructure;*
 - (f) *high-quality street environments including pedestrian and cycle networks and facilities; and (h) development does not compromise the ability for mixed use developments, or commercial activities to locate and expand within centres.*
- (5) *Enable retail activities, where appropriate, on identified growth corridors in business zones, having regard to all of the following:*
 - (a) *adverse effects on the function, role and amenity of the city centre, metropolitan and town centres, beyond those effects ordinarily associated with trade effects on trade competitors;*
 - (b) *adverse effects on the quality compact urban form including the existing and planned location of activities, facilities, infrastructure and public investment;*
 - (c) *effects on community social and economic wellbeing and accessibility;*
 - (d) *the efficient use and integration of land and infrastructure;*
 - (e) *effects on the safe and efficient operation of the transport network;*
 - (f) *effects of the development on the efficient use of any industrial land, in particular opportunities for land extensive industrial activities and heavy industry;*
 - (g) *avoiding conflicts between incompatible activities; and*
 - (h) *the effects on residential activity.*

The plan change results in the loss of land zoned for commercial office activities. The proposed Mixed Use zoning provides for limited commercial office use as a permitted activity, while a discretionary activity resource consent application can be made for additional office activities. The plan change includes an assessment of the economic impacts of the plan change and concludes that there is sufficient land zoned for commercial purposes. The limited range of retail and food and beverage activities permitted in the Business Mixed Use zone will ensure that the function, role and amenity of the Ellerslie Town Centre is not adversely impacted by the plan change. For the above reasons the plan change is consistent with the commercial growth objectives and policies.

Overall it is considered that the proposed plan change is in accordance with the high-level policy matters set out in the RPS.

5.4 Business Park Zone

The land is zoned Business Park, which provides a location where office-type business activities can group together in a park or campus like environment. The Business Park Zone enables moderate to intensive office activity and some ancillary services such as gymnasiums, childcare and food and beverage outlets.

Business Park areas are generally located adjacent to the rapid and frequent services network. The zone is designed to recognise existing business parks and has a limited future application as the primary location for commercial activities is expected to be within the city centre, metropolitan centres and town centres to reinforce the roles of those centres. Where new business parks are proposed, limits are expected to be put in place on the amount of office that can establish within these parks.

The zone objectives and policies do not contemplate residential activity, and actively seeks to limit residential activity to visitor accommodation via a policy and associated rule framework. In particular, Policy 18 requires a plan change for any amendment to the provisions of existing business parks to, among other things, limit residential activity except for visitor accommodation. The clear policy direction in the objectives and policies for the Business Park zone and directive language regarding the limitation of residential activity is the reason that a plan change rather than a resource consent application process is being pursued.

5.5 Central Park Precinct

The site is also subject to the provisions of the Central Park Precinct, the purpose of which is to provide for employment and office activities within an office park environment. The quantity of car parking is limited to contribute to pedestrian amenity within the precinct, while the amount of supporting services and minor convenience / service retail is also capped to ensure that the Precinct complements and does not compete with the Ellerslie town centre. The associated objective and policies support these outcomes.

The Precinct includes a number of bespoke development standards designed to deliver the combination of amenity within the site, and to ensure the scale of activities within the Precinct complement and do not undermine the Ellerslie town centre, including:

- site intensity is limited to 1.8:1 across the site and a maximum gross floor area of 114,000m²
- the total gross floor area of recreation, food and beverage and retail activities is limited
- upper and lower storey setback requirements
- requirement for a pedestrian plaza and landscape amenity spaces (none of which apply to the site)
- requirement of footpaths within pedestrian oriented areas
- minimum and maximum car parking requirements to serve the office park and support services.

The Precinct assigns a range of building height limits across the precinct (refer Diagram 2 below). These are based upon existing building heights and surrounding protected views.

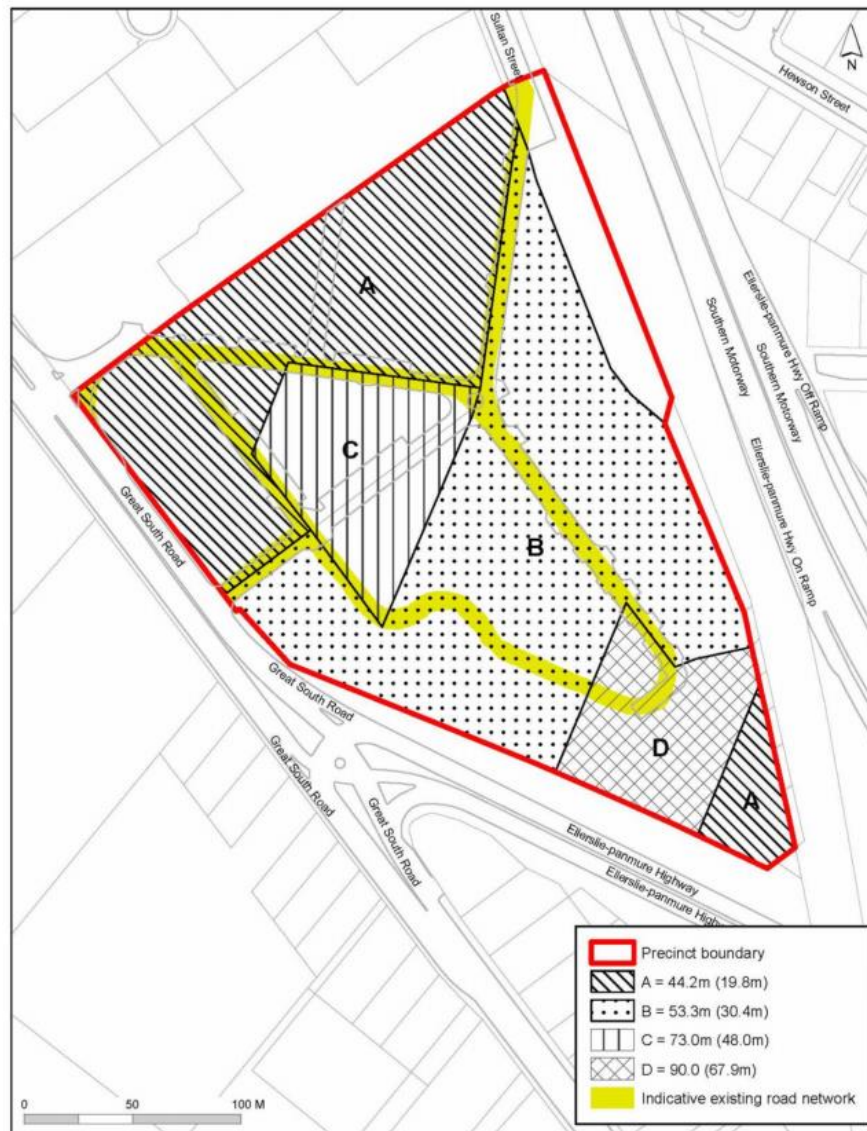


Diagram 2: I308.10.1 Central Park: Precinct Plan 1 – Central Park building heights

Diagram 3 below identifies the urban design outcomes sought through the Precinct provisions. As they relate to the subject site, these include:

- Upper level pedestrian link to new bridge from Central Park Precinct to Ramsgate Street, Eilerslie (potential link shown as a concept only)
- At grade pedestrian link along the Sultan Street frontage of the site
- Pedestrian oriented frontage
- A landmark building at the norther end of the site

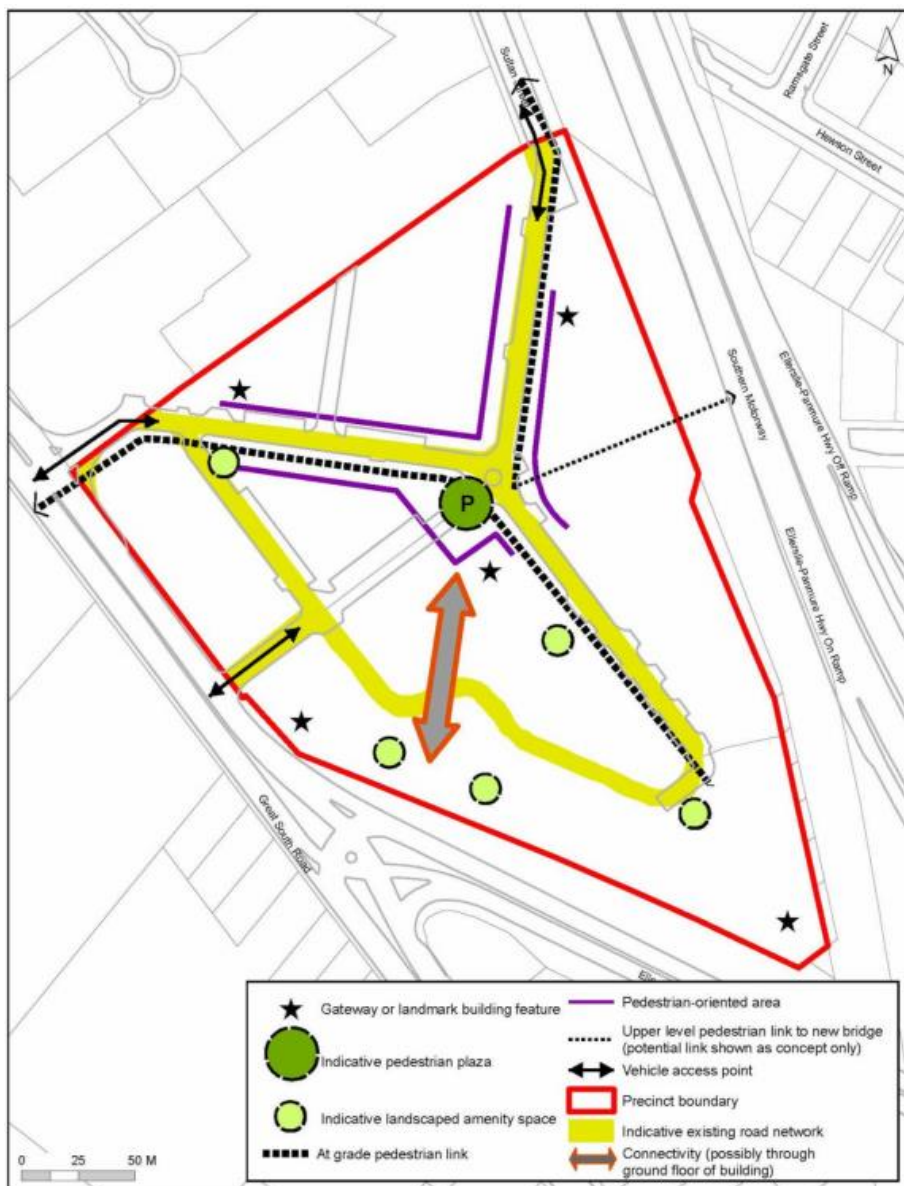


Diagram 3: I308.10.2 Central Park: Precinct Plan 1 – Central Park urban design framework

5.6 Business Mixed Use Zone

The Business Mixed Use zone is typically located around centres and along corridors served by public transport. The zone acts as a transition area, in terms of scale and activity, between residential areas and the City Centre Zone, Metropolitan Centre Zone and Town Centre Zone. It also applies to areas where there is a need for a compatible mix of residential and employment activities.

The zone specifically provides for residential activity as well as predominantly smaller scale commercial activity that does not cumulatively affect the function, role and amenity of centres. The zone does not specifically require a mix of uses on individual sites or within buildings. All new

development within the zone requires a restricted discretionary activity resource consent in order to ensure that it is designed to a high standard which enhances the quality of streets within the area and public open spaces. The zone includes a suite of assessment criteria as a means of ensuring appropriate levels of amenity are achieved by new development.

The zone provides for a range of possible building heights depending on the surrounding environmental context. The zone provisions typically enable building heights up to four storeys, however greater height is enabled in areas close to the city centre, metropolitan centres and larger town centres through the height variation control. This control is applied to a variety of zones across the Auckland region including the various 'centre' zones, Business Mixed Use Zone, a variety of 'special purpose' zones, and the Terraced Housing and Apartment Buildings Zone.

There are four specific objectives included in H13.4 Objectives for the Business Mixed Use Zone that are relevant to the plan change, including:

- (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.*
- (7) *Activities within the zone do not compromise the function, role and amenity of the City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone.*
- (8) *A mix of compatible residential and non-residential activities is encouraged.*
- (9) *Business – Mixed Use Zone zoned areas have a high level of amenity.*

The associated policies included in H13.5 Policies for the Business Mixed Use zone that are relevant to the plan change include:

- (16) *Locate the Business – Mixed Use Zone in suitable locations within a close walk of the City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone or the public transport network.*
- (17) *Provide for a range of commercial activities that will not compromise the function, role and amenity of the City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone, beyond those effects ordinarily associated with trade effects on trade competitors.*
- (18) *Enable the development of intensive residential activities.*
- (19) *Require those parts of buildings with frontages subject to the General Commercial Frontage Control to achieve a reasonable level of street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality.*
- (20) *Promote and manage development to a standard that:*

- (a) *recognises the moderate scale, intensity and diversity of business, social and cultural activities provided in the zone;*
- (b) *recognises the increases in residential densities provided in the zone; and*
- (c) *avoids significant adverse effects on residents.*

5.7 Auckland Plan

Section 79 of the Local Government (Auckland Council) Act 2009 required Auckland Council to prepare a spatial plan (the Auckland Plan). The purpose of the plan is to:

Contribute to Auckland's social, economic, environmental, and cultural well-being through a comprehensive and effective long-term (20- to 30-year) strategy for Auckland's growth and development.

A central component of the Auckland Plan is the high-level development strategy that sets out how Auckland will change and grow over the next 30 years to become the world's most liveable city. Key elements of the development strategy include integration between land use and infrastructure and moving towards a quality, compact urban form based on intensification of activity around urban centres and transport nodes.

5.8 Summary

The key strategic planning documents recognise the need to integrate land use and transport planning. For this reason there is a consistent policy approach to encourage the intensification of activity and the development of high quality compact urban form based around existing urban centres and established transport corridors.

The plan change enables residential activity in an established urban area close to Ellerslie Town Centre, existing rail and bus transport services, social and community facilities. For this reason, it is considered that the plan change is consistent with the planning documents and will deliver the urban outcomes sought.

6 STATUTORY CONSIDERATIONS

The report has been prepared in accordance with the requirements of Clause 22 of Schedule 1 of the Resource Management Act 1991 (**RMA**) which states:

22 Form or request

- (1) *A request made under clause 21 shall be made to the appropriate local authority and shall explain the purpose of, and reasons for, the proposed plan or change to a policy statement or plan and contain an evaluation report prepared in accordance with section 32 for the proposed plan or change.*
- (2) *Where environmental effects are anticipated, the request shall describe those effects, taking into account clauses 6 and 7 of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change, policy statement, or plan.*

Section 32 of the RMA sets out the requirements for an evaluation report as follows (emphasis added):

32 Requirements for preparing and publishing evaluation reports

- (1) *An evaluation report required under this Act must-*
 - (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by-*
 - (i) *identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *summarising the reasons for deciding on the provisions; and*
 - (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.*
- (2) *An assessment under subsection (1)(b)(ii) must-*
 - (a) *identify and assess the benefits and costs of the environmental, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for-*
 - (i) *economic growth that are anticipated to be provided or reduced; and*
 - (ii) *employment that are anticipated to be provided or reduced; and*
 - (b) *if practicable, quantifying the benefits and costs referred to in paragraph (a); and*
 - (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*
- (3) ...

The following sections address the matters set out in Schedule 1 and Section 32 of the RMA.

7 ASSESSMENT OF ENVIRONMENTAL EFFECTS

Schedule 4 of the RMA sets out the matters to be considered when preparing an Assessment of Effects on the environment. In this case it is considered that the relevant effects that require consideration as part of the plan change request are:

- Character and amenity
- Landscape and visual effects
- Shading
- Transportation
- Economic
- Infrastructure
- Contamination

These matters are discussed below.

7.1 [Character, amenity and urban design](#)

Context Architects has been commissioned by CP Auckland LP to prepare an Urban Design and Landscape Visual Impact Assessment in support of the proposed plan change, a copy of which is contained in **Attachment C**. The report provides an assessment of the potential urban design, landscape and visual effects for the site under the proposed plan change provisions. The urban design component of the report explores the proposal for rezoning the site Business Mixed Use (particularly residential) and what effect this may have on the existing urban fabric as well how the area could perform as a community for potential residents.

A description of the character of the area is contained in the urban design report which is not repeated here. The report outlines that due to the pre-dominance of commercial activity in the precinct, the area has temporal activity based on traditional office hours. This uniformity of activity results in a precinct that presently lacks life and vitality during the evening and on weekends.

The business park has been progressively developed as a campus style commercial area. The result is a somewhat 'inward looking' development with access and streets that give a sense that the area is privately owned and operated. The street network provides pedestrian connections and some on-street parking but on the whole is dominated by private vehicles and destination traffic. While much

of the business park has been developed, there remain some vacant sites that are predominantly used for at-grade parking including the site that is subject of this plan change.

The Central Park Precinct provisions include an Urban Design Framework for the inclusion of urban design elements in the development of the business park. This includes landscape and amenity areas, pedestrian links and connectivity and pedestrian orientated areas. For the site, features include a gateway of landmark building feature to the north of the site, an at-grade pedestrian link and partial pedestrian-orientated area along the street connecting the round-about with Sultan Street.

The existing precinct provisions also include a notation on the site for an *upper level pedestrian link to a new bridge (potential link shown as concept only)*. The corresponding standard is I308.6.7(2) Pedestrian connections which states that *'any development on this site must not prevent or impede the creation of an upper level pedestrian link over the motorway to connect to Ramsgate Street'*

The plan change proposes to remove this notation from the site for the following reasons:

- There is an existing underpass located to the north of the site that provides pedestrian access to the eastern side of the rail and motorways corridors and to Ellerslie Town Centre.
- The connection is noted as a concept only. There are no concept or plans for a pedestrian connection over the motorway in this location.
- The feasibility, practicality and cost of spanning the rail and motorway corridors with a pedestrian bridge structure has not been investigated, nor it clear which agency is responsible for the delivery of the connection.

Across the business park there are a wide variety of landscaped areas with a range of plant species. The main access roads are flanked by mature native trees such as Pohutukawa, with under planting and trimmed hedges. There are some pocket parks and areas of landscape planting with some mature trees however the business park lacks any fully coherent or consistent landscape character and treatment.

The new hospitality precinct will result in an improvement in the amenity of the main access road from Great South Road into the precinct with the creation of a hospitality area for people who work in the business park. It will also provide a destination for people who would otherwise not access the precinct through the food and beverage and entertainment offerings.

The plan change seeks to remove the site from the Business Park zone and Central Park Precinct and zone the site Business Mixed Use. The site would be developed under the Business Mixed Use zone

activity controls and development standards (including the specific urban design controls relating to the site). No additional 'site specific' controls or standards are proposed to be included as part of the plan change.

The plan change will enable a greater mix of activities to establish on the site than possible under the current zoning, including residential, entertainment, food and beverage, community and healthcare facilities. The Business Mixed Use Zone does not preclude office activity, providing for up to 500m² per site as a permitted activity. If a future development wants a greater level of office activity, it would be considered through a discretionary activity resource consent process and assessed on its merits.

This mix of activities provided for through the Business Mixed Use Zone has the potential to enhance the level of activity in the area both across day/night and weekend and add to the vitality and vibrancy of the precinct. The urban design report considers that a greater range of activities will benefit surveillance, safety and potentially amenity as uses complementary to residential and commercial are able to locate on the site. The report concludes that mixed-use zoning will not detract from the outcomes of the precinct plan, rather they will support it, by increasing the range of activities that attract investment and occupants to Central Park.

The urban design report anticipates that there would be a reasonable expectation that a residential development would be built on the site. The location of the site proximate to the Ellerslie Town Centre and existing rail and bus transport will make the site attractive to future residential development with pedestrian connections to services and transport provided by the existing underpass traversing the rail and motorway corridors. The following outcomes are anticipated in the urban design report as a result of the plan change:

- Residential use would be well supported by transport, including the Ellerslie Train Station.
- This site is close to One Tree Hill College and Ellerslie Primary School which would encourage families to choose housing offerings at Central Park Lot 1 adding to the diversify the residential population and potentially making apartment living more accessible to a broader demographic.
- The range of activities in the zone, including residential use can activate the spaces at different times of the day and week to businesses and provide customers for commercial activities.
- A Business Mixed Use zone provides for a greater range of community uses which could support both workers and residents.

- A broader range of uses would give more options and opportunity to activate the space at more variable times across the day, into the evening and the weekends where people movements are lacking. Such movement help activate the ground floor spaces and contribute to a safe, high quality urban space.

A key consideration of the plan change is the integration of the site with the wider business park land and the manner in which pedestrian connections, landscaping and amenity can be achieved on the site. The urban design report assesses the development standards and assessment criteria that would apply to the site if rezoned. New building development and additions and alterations to existing buildings requires a restricted discretionary activity resource consent to assess building design and appearance.

The urban design features identified in the Central Park Precinct are currently implemented through a combination of precinct standards and assessment criteria for building development as a controlled activity. Similarly, the Business Mixed Use zone includes zone standards and assessment criteria for building development, although development requires a restricted discretionary activity resource consent and the assessment criteria are performance based rather than prescriptive. Overall, the conclusion in the urban design report is that the development standards and assessment criteria would have a positive effect from an urban design perspective on the outcome of the built form in comparison to the Central Park provisions for the following reasons:

- Building setback at upper floors would assist in providing daylight access to streets, manage visual dominance at the street and for residents at upper levels, providing increased quality of amenity for residents and public.
- The maximum tower dimension and tower separation standard would ensure public using the streets and open spaces will get more access to daylight and encourage more slender building forms to manage building bulk.
- The outlook standard manages separation between residential units providing for daylight and creating a good living environment for residents but also inform plan arrangements and building separation allowing more daylight into ground level spaces.
- The Mixed Use zone assessment criteria emphasises current best practice urban design and are performance based, enabling a broader range of solutions to ensure good design outcomes are achieved.

Having regard to the above, it is considered that overall, the plan change will result in positive effects in terms of character, amenity and urban design. The Business Mixed Use zone contains standards

and assessment criteria that will ensure that building development on the site incorporates good urban design and integrates with the business park precinct.

7.2 Landscape and visual effects

Context Architects has also prepared a Landscape Visual Impact Assessment (LVA) in support of the plan change, a copy of which is contained in **Attachment C**. In particular, the LVA evaluates the impact of the proposed height variation control on views to and from the site.

The LVA includes the following description of the existing landscape character of the area:

“The residential suburbs of One Tree Hill, Oranga, and East Ellerslie are relatively dense with smaller buildings and narrow road reserves. The commercial and industrial area of Penrose extending into West Ellerslie (where Central Park is located) are identifiable by the larger building size, with wider streets and hardstand areas in between, forming a much bulkier development pattern and less distinctive grain. The figure ground map in Appendix 14 depicts the building footprints in the surrounding areas near the site and illustrates this change in grain that is aligned with the relevant Auckland Unitary Plan zones.”

The Central Park Precinct includes a range of maximum building heights that differ from the Business – Mixed-Use Zone standards. The Central Park Precinct is separated into four development areas. The four areas have different building heights reflecting the existing built environment, the nature of the site, its location near Ellerslie Town Centre and the surrounding protected views. Heights relative to building development areas are shown on Precinct plan 1. Height is expressed in the precinct as height above mean sea level and above ground level (average) with the mean seal level being the prevailing maximum height measure. Building height co-ordinates are also shown on Precinct Plan 3. The heights referenced below are those above ground level, with the corresponding height above mean sea level contained in brackets. Existing ground is calculated as being at a relative level of 22.50.

The site is located in development Area B which has a permitted building height of 30.4m (53.3m above mean sea level) as illustrated on the Precinct Plan in Section 5 above. Surrounding permitted building heights in the precinct include:

- Area A: 19.8m (44.2m above mean sea level) to the north and south of the precinct
- Area C: 48.0m (73.0m above mean sea level) in the middle of the precinct.
- Area D: 69.7m (90.0m above mean sea level) to the south of Area B.

The site is also subject to the W26 Mt Wellington Volcanic Viewshaft across the entire precinct at RL 90.5. This viewshaft has its origin point at Pakuranga and looks westbound to views of Mt Wellington, One Tree Hill, Mt Eden, and Mt Hobson, which are all distant views.

Existing built development in Central Park has a range of heights from approximately 17m to 34m above ground level. This is illustrated in Appendix 15 of the LVA. The existing 34m building located in Area D does not make full use of the 67.9m (90.0m) height limit. Given the proximity to land that has increased height limits, there is reason to explore an increased height limit for the site also. The LVA explores both local and distant views to and from the site to explore what the effects of increased height might be for the site.

The plan change includes the addition of a height variation control to provide for a maximum building height of 44m (66.50m above sea level) at a height consistent with the character and amenity of the surrounding area. The additional height variation control is sought as the standard height limit of the Mixed Use Zone of 18m would be out of character with the surrounding buildings and lower than currently allowed under the Central Park Precinct. The volcanic viewshaft is located at RL90.5 over the entire precinct and will therefore not impact on the parameters of bulk and location that are being considered as part of this plan change.

The site is in close proximity to One Tree Hill (Maungakeikie). A strong visual link to this volcanic cone is provided from within the site down the axis of the east-west internal circulation route to the main entrance on Great South Road. Visual connections to a number of volcanic cones are also obtained from elevated areas of the residential suburb to the north east of Ellerslie. These include One Tree Hill (Maungakeikie), Mt Wellington (Maungarei), and more distantly, Mt Hobson (Remuera), Mt Eden (Maungawhau) and Mangere Mountain.

There are also more local views of the site including from a number of streets that run down the hill from the north east towards Ellerslie town centre. The streets include Ladies Mile, Arthur Street and Amy Street and provide good views of Mangere Mountain.

The LVA has assessed the additional height sought from both local and distant viewpoints, which are summarised below.

Ōhinerau / Mount Hobson – Refer to Appendix 8A

Ōhinerau is located 3.2km to the northwest of the site and provides a view over Central Park towards Maungarei/Mt Wellington. From this viewpoint Central Park is the northern most tip of an expanse of business zoned land. The foreground and background views are of the wider residential area, with a notable network of established trees, low roof lines and finer building grain. Increased height is assessed as not having a negative effect on the views from this location. It is considered that one or more towers will fit in with existing landscape character of commercial buildings of a larger grain.

Maungakiekie / One Tree Hill – Refer to Appendix 8B

Maungakiekie is located 2.3km to the west of the site. Views from Maungakiekie to Maungarei include Central Park in the foreground. Increased height is not assessed as having a significant visual impact on the view from this location, with any development located in the foreground of the 11 storey Agility building located at 56 Cawley Street Ellerslie.

Maungarei / Mount Wellington – Refer to Appendix 8C

The view from Maungarei to Maungakiekie is considered to be significant as part of Auckland’s urban and landscape identity. This view, which encompasses Central Park is at a distance where the additional building height on the site is assessed as being relatively undistinguishable from the surrounding urban form.

Mutukaroa/Hamiltons Hill – Refer to Appendix 8D

The view from the high point of Mutukaroa towards the north includes the southern motorway towards Ōhinerau and the Sky Tower beyond. The site is assessed as having no visual connection from this viewpoint with the eastern embankment on the Mt Wellington side of the motorway blocking the sight line.

Southern Motorway – Refer to Appendix 9A

The Southern Motorway is located on the eastern side of the site and is defined by a row of mature Pohutukawa trees, providing visual screening and some acoustic protection from both the traffic and train noise. Drivers approaching from both the north and south will have direct line of sight to Central Park due to the curve of the road. The existing buildings of Central Park are visible for traffic travelling south from Ellerslie train station onwards. For motorists travelling north, the view is broken by Ellerslie-Panmure Roundabout.

Increased height is assessed as not being inconsistent with the surrounding built form and is considered to provide a more consistent interface and integration with existing building development in Central Park while providing a continuous edge to the rail and road corridors. The assessment

considers that building fabric, especially at higher levels (above treeline) will need to be considered, with regard to reflectance in order to not create a disability glare for motorists. Building materiality can be considered as part of a resource consent process for building development on the site.

Great South Road – Refer to Appendix 9B

The site is removed from Great South Road with existing buildings blocking direct views of the site from Great South Road. The main vehicle access into the business park (Sultan Street and Park Avenue) are both axial lanes into the middle of the site and have short view shafts down them towards the site. These sight lines are softened by existing and well-established street trees. Increased height and bulk is assessed as not having any impact on views from this corridor.

Railway Corridor – Refer to Appendix 9C

The railway corridor is located on the eastern boundary of the site and is defined by a row of mature Pohutukawa trees. The existing carpark ground level is 2-3 metres below the rail line level. Development of the site would be only partially visible through trees from the railway.

Ellerslie Pedestrian Over bridge – Refer to Appendices 9D and 11

The elevation of the pedestrian overbridge provides a clear view down the Southern Motorway corridor to Central Park and the site. It is considered that any additional building bulk would be cohesive with existing buildings from this viewpoint.

Ellerslie Residential Area – Refer to Appendix 9E

This view, from Arthur Street and Ladies Mile down towards the Main Highway is across the motorway to the site with Mangere Mountain in the background. It is considered that this view, particularly toward Mangere Mountain from Arthur Street would be affected by any development taking place on the site, with building form and bulk visible above the buffer of the Pohutukawa trees.

A development on the site is assessed as being visible from lower reaches of the Ellerslie residential area but would potentially affect views from Ladies Mile, Arthur Street and lower Ellerslie Village. However this is assessed as not being acceptable and inconsistent with existing or permitted building heights in Central Park and beyond.

Ellerslie-Panmure Roundabout – Refer to Appendix 9F

The site is screened from this viewpoint up to the top of the existing treeline. Additional building bulk above this is assessed as being consistent with the bulk of other existing building development on the

site and buffered by the mature vegetation. Long views from this location have also been considered with view to the north-west assessed as being affected by increased height but acceptable.

Overall, the visual assessment considers that the additional height responds to the surrounding context and will ensure a varied profile of building forms within the precinct, creating a varied skyline. It is also considered that the additional height would contribute to visually reinforcing the function of the site within a wider mixed urban environment. In terms of surrounding landforms, the site sits in a relatively low area of an undulating topography and does not materially impact the existing visual connection between volcanic cones. While the proposed increase in height will result in an increased built dominance when viewed from some more local viewpoints, the combination of the Business Mixed Use zone bulk and scale standards and assessment criteria ensure that the collective site development does not appear as a single built mass.

7.3 Shading

The Urban Design and LVA report includes an assessment of additional shading that results from an increase in building height from 30.4m (53.30m) to 44m (66.5m) above ground level. A series of shading diagrams are contained in Appendix 17 of the LVA report. They illustrate the effects of additional height proposal of 44m in terms of casting shadow beyond the existing height limit of 30.4m. The model uses a blanket 100% building coverage to full height as the scenario for analysis, noting that other controls in the Business Mixed Use zone would limit the extent of building bulk that could be achieved on the site.

The shading analysis demonstrates that the shadow cast during the winter solstice by building development up to a maximum height of 44m is confined to the business park land, public road (Great South Road and motorway) and the forecourt of the service station located on land on the corner of Great South Road and Ellerslie-Panmure Highway. During summer and the Equinox additional shadow cast is confined to the business park land and rail/motorway corridor.

Overall, the increased shadowing is largely internalised and does not reach surrounding residential areas or any open space zones, so would have a minor impact beyond the site.

7.4 Transportation

An Integrated Transport Assessment (ITA) of the development provided for under the plan change has been undertaken by Traffic Planning Consultants (TPC). The full report is attached in **Attachment**

D. This report describes the location of the site in relation to the adjacent transport environment; describes the form of the potential development and its connections to the road network; assesses the likely impacts of the rezoning on the transport environment; and assesses the proposal in terms of the relevant objectives and policies in the Unitary Plan.

It is intended that the parking standards relating to the proposed zoning of Business – Mixed Use will apply to any development of the site, including residential development, for which there is no minimum or maximum parking requirement for residential developments within the zone. Parking requirements for other activities within the Business – Mixed Use zone are typically lower compared to activities in the Business – Business Park zone, which remains consistent with the more varied activity types within the zone and the potential for internal trips to be made via active modes and public transport, thereby reducing the overall vehicle parking demand.

Furthermore, the existing precinct car parking standards will continue to apply to the residual parcels of land within the business park. These standards provide minimum and maximum parking rates for activities targeted at reducing car travel but also recognising that some parking is necessary for the development to operate and minimise the overflow of any parking demands into surrounding streets.

The ITA assesses the likely trip generation based on a potential residential development of the site and does not discount the car movements associated with the existing car parking areas that will be displaced by any residential development. It is anticipated that this parking demand will continue to be accommodated within the site in other parking areas.

The key findings of the ITA report are set out below:

- There are no issues of significance from a transportation perspective with respect to the proposed residential use of the site.
- The site can integrate well with a wide range of travel modes to promote reduced private car travel. Accessibility of the site to public transport and the active modes of walking and cycling is of a high quality which could be further enhanced with improved linkages to the nearby business centres and the train station.
- There may be some minor upgrades required to access the site for vehicles and pedestrians depending on the access strategy proposed. However, it is not considered that these will be significant and can be guided by the existing provisions with the Unitary Plan standards.
- Preliminary traffic modelling suggests that the existing site access and surrounding intersections can accommodate the traffic generated by 520 apartments with minimal effects.

- In terms of the parking provision for both the Central Park commercial activities and the residential development, they will remain consistent with what is proposed in the current precinct provisions.

Overall, it is considered that the traffic engineering effects of a change in zoning for the site can be accommodated on the road network without compromising its function, capacity, or safety.

7.5 Economic Impacts

Property Economic has prepared an Economic Assessment of the rezoning of the site to Business Mixed Use. The full report is attached as **Attachment E**. The report provides an analysis of the potential economic costs and benefits of the plan change by assessing the potential, level, scale and flow on impacts of development under each zone scenario. The assessment also cross references the future demand for residential and commercial development within the area over the next 20 years to quantify the appropriateness of the Business Mixed Use Zone for the site by identifying what activities are required in the local area to maximise economic efficiency.

The Business Park zone is primarily intended to provide for commercial office activity with some ancillary service activities to support the office environment such as food and beverage outlets, retail and recreation facilities. However, given the close proximity of the business park to Ellerslie Town Centre, the precinct contains provisions that cap the amount of food and beverage, retail and recreation uses to ensure that these are provided in a supportive function to the office park and complement and do not compete with the town centre. The rezoning has the potential to displace office activity and introduce activities that compete with the Ellerslie Town Centre.

The Business Mixed Use zone provides for residential activity as well as some limited commercial office use (up to 500m²) and limited retail uses (up to 200m² per tenancy). The restrictions on office and retail activity are to ensure that these activities are predominantly smaller scale activities that do not cumulatively affect the function, role and amenity of centres. These provisions have a similar effect to the cap on retail, food and beverage and recreation uses included in the Central Park Precinct and will ensure that activities that locate on the site complement those provided in the town centre.

As a point of reference, the Economic Assessment identifies that there is approximately 24,500m² of development potential on the site under the current zoning, all of which could conceivably be used for office activity. Under the proposed provisions, the development potential of the site is approximately 50,000m², with residential activity provided for and office activity limited as noted

above. Any proposal to exceed the 500m² of office activity provided for would be considered as a discretionary activity and assessed on its merits.

Overall, the report concludes that the economic benefits associated with the plan change outweigh the likely costs for the following reasons:

- The change in zoning provides more certainty of development of the site largely due to the ability to undertake residential development and investment in the precinct.
- The rezoning enable the enablement of a consolidated mixed use live and work environment.
- The rezoning provides for high density residential development in close proximity to existing public transport links including rail and bus connections.
- The potential loss of commercial development space is mitigated due to the ability to provide some commercial office use of the site as well as the limited likelihood of office development taking place on the site under the current rules.
- If there is no demand for commercial floorspace on the site it is likely to remain vacant and underutilised apart from continued use as a carpark.
- Quantification of construction benefits for the plan change provides a greater economic injection into the Auckland market resulting from construction due to the greater amount of floor space that could be realised.

7.6 Infrastructure

Bluebarn Consulting Engineers has provided an Infrastructure Report contained in **Attachment F** in order to make an assessment of both the existing and proposed infrastructure services as a result of an increase in the development density over and above that currently allowed in the Unitary Plan. While the proposed plan change does not add any additional impermeable surfaces within the subject area, it seeks allowance to increase the maximum building height.

Stormwater

Stormwater from the catchment to the north passes underneath the motorway and railway line and into an open drain that discharges into a series of three subsurface detention tanks. One of these is located beneath the site and is a private asset with the landowner responsible for maintenance and for the regular removal of silt. There is an outlet from the third detention tank that passes under the Ellerslie-Panmure highway on/off ramp and under Great South Road where piped drains ultimately discharge to the Manukau Harbour.

There are three public soak holes located on the private roadway that extends from the end of Sultan Street. These are currently maintained by Auckland Transport. Surface runoff from the existing carpark areas within the site is collected by catch pits that discharge to the detention tank beneath the upper carpark.

Future redevelopment of the site would maintain the status quo and direct all stormwater via a new piped reticulation system into the open channel running along the eastern boundary of the site adjacent to the railway line. As the site is currently 100% impervious there will be no increase in stormwater flows from the site in the post development scenario. An Operations and Maintenance Plan for detention tank will need to be prepared which will include provision for the collection and disposal of debris and sediment to maintain its effectiveness. This would be done as part of future development of the site. Any reduction in storage volume in the detention tank due to additional piles or piped infrastructure would need to be mitigated by the creation of further storage volume.

Flooding

The site is identified as being flood prone. An updated flood model has been commissioned by Healthy Waters for the catchment including the subject site. This model allows for the maximum probable development in the catchment (noting that the subject site will create no further impact on the flood model as there is no increase to the impervious area) and has been adjusted for climate change.

There are also a number of historical overland flowpaths that traverse the site. A number of these have been superseded by the existing piped and open channels on and adjacent to the site. The 100 year ARI model results indicate that the maximum flood depth in the channel along the eastern boundary of the site will be 1.87m. The anticipated maximum flood levels for the majority of the site are assessed as being below the general level of the upper at grade carpark area. Minimum floor levels for any future development will need to be established above the maximum flood level pursuant to the requirements Chapter E36 Natural Hazards and Flooding of the Unitary Plan.

Wastewater

An existing 225mm diameter public wastewater line crosses the site that serves the adjacent catchment to the northwest. No capacity issues have been identified by Watercare Services This line enters Lot 15 (the subject site) opposite the common boundary although they have identified that there may be some upstream local capacity issues.

Future development of the site is able to be served with local reticulation connected to the local public manhole to minimise the impact of additional wastewater flows on the existing 225mm diameter local wastewater line. This minimises the extent of any local reticulation upgrading works that may be required.

Any future development of the site will need undertake a detailed catchment analysis to confirm whether there are any upgrades required to the local network to service the site.

Water Supply

An existing 200mm diameter watermain runs along the eastern side of Sultan Street and extends southwards along the eastern boundary of the subject site to cross underneath the railway line and Southern Motorway opposite Cawley Street. There is also a 100mm diameter watermain that runs parallel to the 200mm main along the lower portion of the site. Fire hydrants are located on the site on both the 100 and 200 watermains and also in Sultan Street in close proximity to the subject site.

There are not anticipated to be any impediments to providing an adequate level of water supply to service future development of the site. An extension to the existing public water supply network will be required to serve future development. Should any extension to the existing water supply network be private then appropriate metering arrangements will need to be made by the respective owners.

The site overall is well serviced with water supply infrastructure, however fire-fighting requirements under the Building Code will need to be met and a detailed analysis on water services and fire-fighting demand will be carried out at resource and building consent stages as part of a specific proposal.

Utilities

Power and telecommunications services are able to be supplied to future development of the site by connecting to the existing infrastructure located within the existing private roading network and Sultan Street. There is a 11kv underground line that runs to a transformer located opposite the subject site. Both power and telecommunication services can be readily extended through the site to service future development, including residential units.

Vector Gas have confirmed that there is piped gas reticulation in Great South Road. The gas supply can be readily extended to service the proposed development on the subject site.

Summary of infrastructure effects

Overall, there are no infrastructure constraints that impact the proposal to rezone the site from Business Park to Business Mixed Use and it is considered feasible from an engineering perspective to provide stormwater, wastewater, utilities and water supply infrastructure to service future development in accordance with relevant Unitary Plan and Engineering Standards.

7.7 Contamination

A Geotechnical Statement and Ground Contamination Assessment have been undertaken for the site by Tonkin & Taylor Ltd (T&T). This report is attached in **Attachment G**. This report has been prepared in general accordance with the requirements for a Preliminary Site Investigation (PSI) and Detailed Site Investigation (DSI) referred to in the NES Soil Regulation¹, and as outlined in the MfE's Contaminated Land Management Guidelines No 1.

A historical review has established that the area of the Central Park was occupied by a rubber and plastic manufacturing facility since the early 1960s until the late 1980s when redeveloped into the Central Park commenced. The area of the Central Park Corporate Centre is also listed on Auckland Council's hazards register as potentially contaminated because an activity or industry described in the MfE Hazardous Activities and Industries List (HAIL) has been undertaken on the site. The HAIL is a compilation of activities and industries that are considered to have the potential to cause land contamination resulting from hazardous substance use, storage or disposal. However the list merely indicates that such activities and industries have a greater probability of ground contamination occurring than other uses or activities, not that hazardous substances are definitely present in the land.

A number of contamination investigations have been undertaken at the site and various locations across the balance of the Central Park Corporate Centre. Across the entire Central Park Corporate Centre area fill materials and sediment (silt) sampled beneath the concrete suspended slab located through the south portion of the site contained generally low levels of contaminants. Insitu natural soils (volcanic ash-derived) contained contaminant levels generally consistent with published background levels for volcanic soils. The laboratory results show:

- With the exception of lead concentrations at two locations (one located within the current site area and within the surrounding area) no results exceeded the human health based criteria for high-density residential land use;

- No results exceeded the human health based criteria for commercial land use.

The conceptual site model, based on testing undertaken to date, indicates that contamination is unlikely to preclude the development of the site for high density residential land use. Based on the results of the testing in the investigation area and historic data for the balance of the Central Park, consents under the NES Soil will be dictated by the volume and duration of disturbance associated with future development proposal. Consent on a controlled activity basis is likely to be required under the contamination rules of the Unitary Plan. A Site Management Plan for ground contamination will need to be prepared to support any consent applications associated with soil disturbance.

8 SECTION 32 ANALYSIS

8.1 Appropriateness of proposal to achieve the purpose of the Resource Management Act 1991

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 Act.

The proposed plan change does not include a stated objective, however pursuant to Section 32(6)(b) of the RMA, the purpose of the plan change request is to enable a mix of activities on the land at 666 Great South Road, including residential activity.

Section 5 of the RMA identifies the purpose of the Act 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. It is considered that the plan change will achieve this purpose in that it will enable development of a scarce land resource located in close proximity to transport options for a mix of potential land uses and enable the community to provide for their economic and social well-being.

Section 6 of the RMA sets out a number of matters of national importance. The plan change request does not directly relate to any of the eight identified matters of national importance, and as such is considered to meet the intent of the section. For completeness, the following comments are noted:

- the plan change request includes provision to increase the permitted height of development on the site but remains well below the regionally significant volcanic viewshaft (W26) from Pakuranga Road to Maungakiekie;
- the site includes a large stormwater tank that forms part of the public stormwater management approach through the catchment. The plan change request does not seek to alter that arrangement;
- the applicant has engaged with Mana Whenua and no cultural issues have been raised in relation to the site or proposed plan change.

Section 7 of the RMA identifies a number of “other matters” to be given particular regard by the Council. The specific matters from section 7 that are relevant to the plan change request are:

(b) the efficient use and development of natural and physical resources:

The plan change will enable the development of a scarce and valuable land resource to provide for the community's economic well-being. In seeking to enable a mix of activities and an increase in the permitted height limit for the site, the plan change will enhance development options and promote the efficient use of physical resources.

(c) the maintenance and enhancement of amenity values:

The proposed provisions are cognisant of the surrounding development, land uses and built context, and are considered to provide the opportunity for enhanced amenity values within the Central Park development by enabling a range of activities that can add vibrancy to the area, both during and outside working hours.

(f) maintenance and enhancement of the quality of the environment:

The plan change will enable a mix of activities that can support and compliment the business park activities within the Central Park Precinct. This mix of potential activities will be well-placed to maximise the opportunities provided through proximity of the site to employment, education, transport and recreational facilities. In this regard, the plan change is considered to enable subsequent development to make a positive contribution to the quality of the built environment.

(g) any finite characteristics of natural and physical resources:

The plan change will enable the development of a scarce and finite land resource in close proximity to a range of transport infrastructure, employment, education and recreational areas.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi. The applicant has engaged with Mana Whenua and no cultural issues have been raised in relation to the site or plan change. The site is not identified as a place of significant or value to Mana Whenua. It is considered that this proposal will not offend against the principles of the Treaty of Waitangi.

For the reasons above, it is considered that the purpose of the plan change request is the most appropriate way to achieve the purpose of the RMA.

8.2 Appropriateness of the provisions to achieve the plan change objectives

Section 32(1)(b) of the RMA requires an evaluation to examine whether the provisions in the plan change request 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; and
- Summarising the reasons for deciding on the provisions.

These matters are addressed below.

8.2.1 Other reasonably practicable options

In determining the most appropriate method for achieving the objective of the plan change, consideration has been given to the following other reasonably practicable options:

- Option 1: Do nothing (status quo) and rely on resource consent application(s)
- Option 2: Remove the subject land from the Central Park Precinct, rezone the land from Business Park Zone to Mixed Use Zone, and provide for additional height through the Height Variation Control and remove the site intensity standard from the residual Precinct (The Proposal)
- Option 3: Alternative provisions: retain the Business Park Zone and amend the Central Park Precinct to provide for a broader range of activities and additional height on the land subject to this request
- Option 4: Alternative provisions: rezone the land to Mixed Use Zone and retain it within the Central Park Precinct

Each of these alternatives is discussed below.

[Option 1: Do nothing \(status quo\)](#)

Under this option, rather than proceeding with the proposed plan change, CP Auckland LP would rely on the existing provisions of the Unitary Plan to develop the land and would make resource consent applications according to the process under Part 6 of the RMA.

Chapters H15 sets out the provisions applying within the Business Park Zone, including the objectives and policies at H15.2 and H15.3 respectively. Objectives (1) to (5) are standard across all of the Business zones within the Unitary Plan and establish a clear network of centres that includes a hierarchy, the need for business activity to be distributed in locations and be of a scale and form appropriate to the location, and the role of business centres in the functioning of the urban area of

Auckland and its transport network. Objectives (6) to (8) relate specifically to the Business Park Zone and state that business parks be efficiently and effectively developed; the new business parks for office-based employment are enabled where they avoid adverse effects on the function and amenity of other Business zones, and which provide for retail activities to support intensive employment activities. Policy 17(c) specifies that residential activity be limited except for visitor accommodation.

Chapter I308 sets out the provisions applying within the Central Park Precinct. The objective and policies are included at I308.2 and I308.3 respectively, the objective being that the Central Park Precinct is developed as a business park with a range of supporting activities that are complementary to the Ellerslie Town Centre, and is well designed and integrated with the surrounding area and infrastructure. Policy (1) seeks to limit land use activities such as retail, food and beverage and recreational facilities to those that serve the needs of office workers within the precinct, while the other policies relate to amenity and transport.

The provisions in the Business Park Zone, Overlays and Auckland-wide apply within the Central Park Precinct unless otherwise specified. As described in Section 5 above, the existing provisions applying to the site allow for a very limited range of permitted and controlled activities to be carried. Those that are provided for generally relate to office activity (up to the stated gross floor area limits), buildings, and a range of small-scale retail and community activities to support office activity. With the exception of visitor accommodation (restricted discretionary activity), all accommodation activities are identified as non-complying activities, as are a range of commercial activities (drive-through restaurants, entertainment facilities, cinemas, supermarkets).

The development standards for the site specifically limit the gross floor area of development achievable, the height limits that apply across the Precinct, and a small range of amenity-related matters.

The limited scope of activities provided for across the site means that establishing a new residential building, or a retail activity for a broader audience than the office park would be considered as a non-complying activity which would be assessed against the objectives and policies of the Business Park Zone and Central Park Precinct. Those objectives and policies generally seek to maintain the existing office park character, with office space and activities of a scale and character which specifically support the on-site office activity.

In addition to the time and cost burden of making an application for each and every use not associated with the development and support of an office park, CP Auckland LP would be faced with the uncertainty of outcome due to the requirements of the RMA for non-complying activities.

CP Auckland LP are in the business of owning and developing office and retail assets and consider that the market-driven response for Central Park Precinct is to encourage a broader mix of activities to support the core office activity. On this basis and given the closed nature of the Unitary Plan provisions that apply to the site, the 'do nothing' option is not considered appropriate.

[Option 2: Rezone the site to Mixed Use Zone, remove the site from the Central Park Precinct and provide for additional height through the Height Variation Control, and remove the site intensity standard from the residual Precinct \(the Plan Change\)](#)

The plan change will support the development of the site by enabling the establishment of new built form and activities, including a suite of activities that can support and enhance the existing and future office development within the residual Central Park office development.

The plan change seeks to replace the underlying Business Park Zone (provisions summarised above) with the Chapter H13: Mixed Use Zone. The Mixed Use Zone is applied broadly across land along Great South Road including a significant area immediately to the north of the subject site.

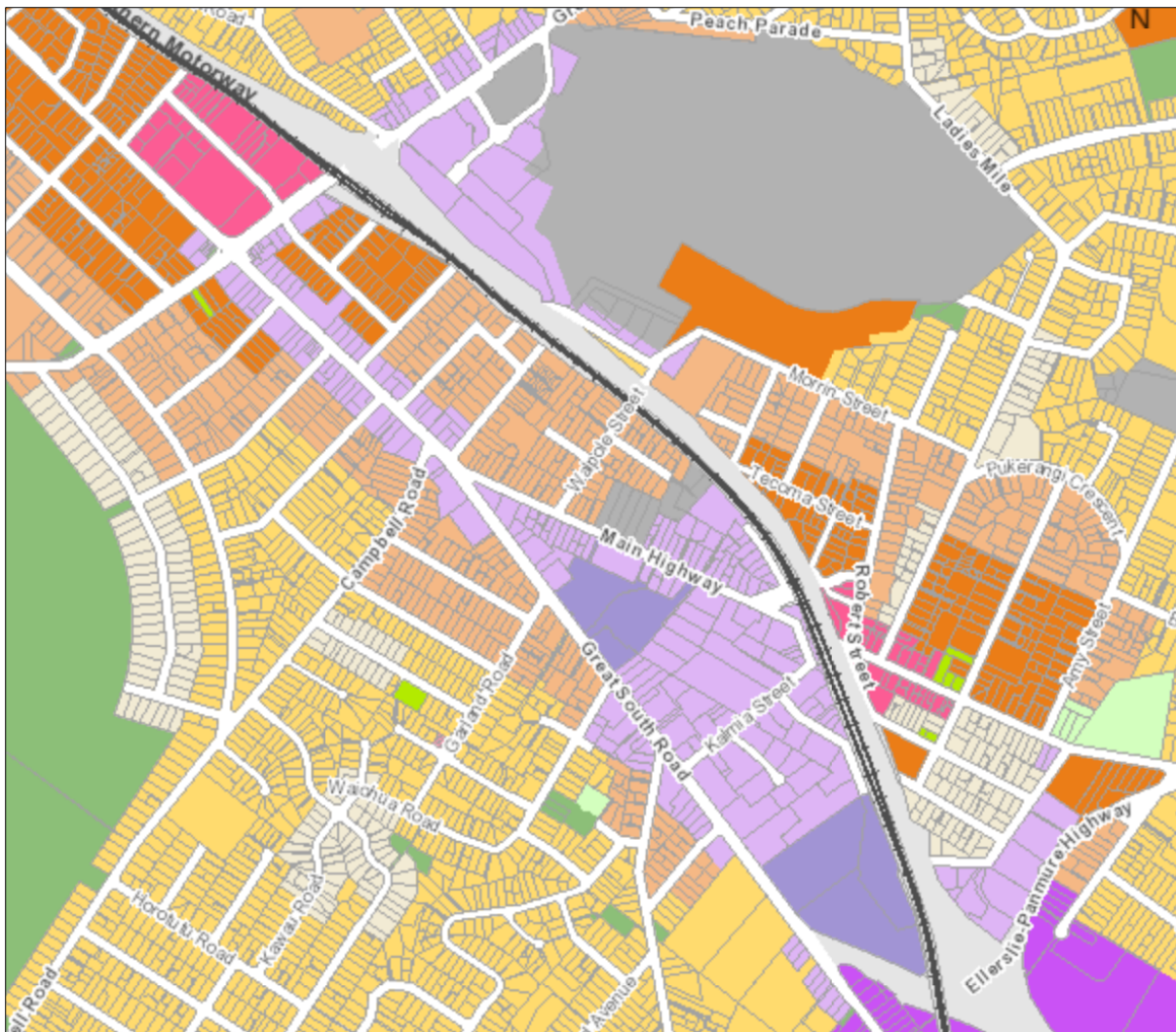


Figure 4: Auckland Unitary Plan zoning

Source: Auckland Unitary Plan Viewer (<https://unitaryplanmaps.aucklandcouncil.govt.nz/upviewer/>)

The objective and policies of the Mixed Use Zone are set out at H13.2 and H13.3 respectively. The first five objectives are the same as within the Business Park Zone, while objectives (6) to (9) are specific to the Mixed Use Zone and include that moderate to high intensity residential activities and employment opportunities are provided for in area in close proximity to, or which can support the City Centre, Metropolitan and Town Centres, and the public transport network. It is also noted that a compatible mix of residential and non-residential activities be encouraged, and that activities within the zone should not compromise the function, role and amenity of those other centres, including the Local Centre Zone.

The rules within the zone provide for a broad range of activities, many of which are able to be undertaken as permitted activities and enable the collocation of activities that can support each other. The development standards applying within the zone are comprehensive and manage property

and zone interfaces, as well as built form, amenity and streetscape requirements. Importantly, the zone includes development standards specific to residential activity which are applied (in various forms) across the region and are designed to ensure an appropriate level of residential amenity is achieved.

The location of a broader range of activities on the site, including residential and activities to support residential use, can also be developed to provide support functions to the existing and future office park development within the Central Park Precinct, which will continue to apply across the remainder of the land owned by Oyster Group.

Further to the rezoning proposed, this option removes the subject land from the Central Park Precinct for the following reasons:

- the basic premise of the Precinct and the Mixed Use Zones conflict and do not work comfortably in tandem;
- the Precinct includes development standards relating to amenity within the precinct, however the Mixed Use Zone offers a more comprehensive approach to amenity in a manner applied broadly across the region;
- where the Precinct specifically controls building height, gross floor area and car parking, the Unitary Plan provides other mechanisms for managing those elements.

An established method within the Unitary Plan for applying a site / area-specific height limit is through the Height Variation Control. In this instance an increase in the permitted height is sought given the strategic location of the site, and the immediate context of it, both of which provide support to an increase.

The existing height limit applying to the site through the Precinct is 53.3m above sea level (30.4m above ground level), this being higher than the 16m (plus 2m height for roof form) that applies under the Mixed Use Zone. An increase to 66.5m above sea level (being 43.6m above ground level) is proposed by way of the Height Variation Control, being a mechanism specifically designed for 'spot heights' and already acknowledge within the Mixed Use Zone (development standard H13.6.1(3)).

An alternative method to address the height limit on the site is to rely on the Regionally Significant Volcanic Viewshaft which traverses the site (W26 Mount Wellington, which includes Maungakiekie as a secondary focal point within a broad vista that includes Maungarei as the primary element). The viewshaft sits at approximately 68m above ground level where it crosses the site. In this instance, a

Height Variation Control to limit development to 43.6m above ground level is considered appropriate, with the viewshaft forming a secondary limit for the purpose of any future resource consent application that may seek to infringe the site height limit.

The plan change request includes the deletion of development standard I308.6.3 Site Intensity from the residual Central Park Precinct. I consider this to be an appropriate planning response for the following reasons:

- the underlying Business Park Zone does not seek to limit building coverage but does require a minimum of 20% landscape area / maximum of 80% impervious area. Controls within the Precinct relating to building separation, height and landscaping adequately define a built form and ensure appropriate levels of amenity within the office park environment;
- the site intensity standards were derived prior to the Unitary Plan development and were included as a means of controlling the minimum and maximum car parking requirements for the site. It appears that these provisions were rolled over into the Unitary Plan without much scrutiny. The deletion of the site intensity standards does not undermine the ability for car parking to be based upon gross floor area triggers;
- since the development of the site intensity and car parking triggers, Auckland's rail network has subsequently been electrified and includes more frequent services through the nearby Ellerslie Train Station. This is set to increase again once the City Rail Link project is complete and the potential Auckland rail network is realised. Additionally, the metropolitan bus network has recently been reviewed and revised. These public transport options to the broader site mean that it is able to accommodate a greater intensity of development while supporting rather than undermining the transport network;
- the inclusion of a greater mix of activities within the site, include potentially residential activity, will support the Central Park office development as well as the Ellerslie Town Centre;
- the existing provisions and the resource consent process provide Council with sufficient scope to review the design, appearance and scale of any future proposed development within the Precinct.

While necessitating a formal plan change process, the time and cost required to prepare and progress the Schedule 1 process would (if successful) result in a suite of provisions applying to the land that enables a mix of activities located close to transport options (Ellerslie Train Station, bus routes and the southern motorway), and enable such a mix of activities so as to support rather than undermine the adjacent Ellerslie Town Centre, Newmarket Metropolitan Centre, City Centre, and Central Park Precinct.

The current plan change request will therefore provide CP Auckland LP with a greater level of certainty that the site can be developed for a viable activity and enable them to plan for what exactly that looks like and how it may be progressed.

Option 3: Alternative provisions: retain the Business Park Zone and amend the Central Park Precinct to provide for a broader range of activities and additional height on the land subject to this request

This option was considered as a means of limiting the plan amendments just to the Central Park Precinct. However, in order to amend the Central Park Precinct to provide for a broader range of activities including residential and commercial activities to support it, there would need to be substantial changes to the Precinct. Specifically, objectives and policies would need to be broadened to cater for a more diverse mix of activities, the Precinct rules would be amended to provide for the specific activities, and a suite of development standards geared towards residential development would need to be brought into the Precinct.

Most importantly however, this option would establish a conflict with the overarching premise of the Business Park Zone and Central Park Precinct which is to provide for office activity and a small amount of retail and service activity sufficient to support the office park. In my view, it would not be appropriate to amend the Central Park Precinct to provide for residential and other activities without first amending the Business Park Zone to provide for the same. This would undermine the core function of the zone and would lead to an inappropriate planning outcome.

Option 4: Alternative provisions: rezone the land to Mixed Use Zone and retain it within the Central Park Precinct.

This option would address the issues raised with Option 3 relating to the need for the Precinct to be amended to include the broader range of activities desire and development standards specific to residential activity / amenity. In my view, the Precinct provisions would be rendered void by the underlying zone provisions. The Precinct provides for specific amenity-related outcomes from development within an office park setting, however these are covered as part of a much broader package of performance-based development standards and assessment criteria within the Mixed Use Zone.

I consider that retaining the Precinct over the Mixed Use Zone would add a layer of complexity to the planning provisions applying to the site with no real benefit given that the Mixed Use Zone is a

complete set of provisions that anticipates the mix of activities sought, and manages amenity through a comprehensive suite of provisions.

For completeness, under this option the site intensity standard within the Precinct would be deleted as it is not a necessary provision in guiding built form and massing within the Precinct and is not required as part of calculating the required or maximum car parking within the Precinct. The Mixed Use Zone provides appropriate development standards to guide amenity levels, and assessment criteria to guide the Council's consideration of resource consent applications.

8.2.2 Efficiency and effectiveness of the provisions

In summary, it is considered that the provisions of the plan change are the most efficient and effective means of providing for the future development of this strategically located site. In particular:

- applying substantively the same suite of provisions that currently apply to the land generally to the north of the site will ensure that future development is consistent and integrated with the existing environment;
- the additional proposed amendments recognise the specific characteristics and context of the site and provide for improvements that will further enhance the area and its surround land uses including the Ellerslie Town Centre and the Auckland public transport network;
- the simplicity of the plan change request is a reflection that it is consistent with the objectives and policies of the Unitary Plan, and the with the move to replace the current Business Park Zone and Central Park Precinct provisions with the Mixed Use Zone and a Height Variation Control, there is certainty that the proposed provisions are robust with little need for change;
- the deletion of the site intensity standard from the residual Central Park Precinct can be made without compromising the built form outcomes within the Precinct, with the remaining provisions of the Business Park Zone and Central Park Precinct providing the Council with sufficient scope to review the design, appearance and scale of any future proposed development within the Precinct.

8.2.3 Costs and benefits

The benefits and costs of the environmental, economic, social and cultural effects anticipated from implementation of the proposed provisions of the plan change are outlined below.

BENEFITS AND COSTS OF THE PLAN CHANGE REQUEST

Option 1 – Status quo	
Benefits	Costs
No changes to the provisions of the Unitary Plan maps or text is required, freeing up Council staff to focus on other work	This option does not provide for the efficient use of a scarce land resource, most notably that the narrow land use parameters are undermining the ability to develop the site in the current market
Neither CP Auckland LP or the Council will need to cover the costs of a notified plan change	The full development of the Central Park Precinct for office activity and a small amount of office supporting activity may (if it is feasible as some point in the future) result in lower levels of amenity within an around the site, and could undermine the Ellerslie Town Centre
Option 2: The plan change request	
Benefits	Costs
The proposed provisions reflect CP Auckland LP's identified need for a greater mix of activities to be enabled within the site	Implementing the proposed provisions requires a plan change to be undertaken at significant private cost.
The proposed provisions are consistent with Auckland Council's local strategic documents for the area	
The proposed provisions (Mixed Use Zone and Height Variation Control) are well-tested and robust, currently being implemented across the region	
The proposed provisions will create greater certainty for CP Auckland LP regarding future capital investment in the site	
The proposed provisions will create greater certainty of consenting outcome, with residential development enabled as a restricted discretionary activity with associated development standards and assessment criteria, rather than as a non-complying activity with little to no support via the objectives of the zone and precinct	
The broader mix of activities enabled through the site will better support the Central Park office development and the Ellerslie Town	

Centre if residential activity is added to its catchment

Option 3: Alternative provisions	
Benefits	Costs
<p>This option provides CP Auckland LP with a clearer consenting path (then exists under the operative provisions) to establish residential activity on the site</p>	<p>Implementing the proposed provisions requires a plan change to be undertaken at significant private cost.</p>
	<p>Providing for a broader mix of activities, including residential activity using this approach would establish a conflict with the overarching premise of the Business Park Zone and Central Park Precinct which is to provide for office activity and a small amount of retail and service activity sufficient to support the office park</p>
	<p>While in simple terms this option may necessitate the least change in that the Zone and Precinct both still apply to the site, significant change would be needed to the Precinct, and some change to the Zone objectives would also be required and would likely undermine the 'office park' intentions of the Zone and Precinct. Thus, this is a more substantial change to the Unitary Plan.</p>
	<p>This option would not provide CP Auckland LP with sufficient certainty as to outcome of resource consent processes unless the objectives of the Business Park Zone and the Central Park Precinct were also amended as noted above.</p>

Option 4: Alternative provisions	
Benefits	Costs
<p>This option would go some way to establishing an efficient and effective planning framework for development within the Precinct, although this is tempered by the overly complex set of provisions as noted under 'costs'</p>	<p>Implementing the proposed provisions requires a plan change to be undertaken at significant private cost.</p>
	<p>This option to retain the Precinct over the Mixed Use Zone would add a layer of complexity to the planning</p>

provisions applying to the site with no real benefit given that the Mixed Use Zone is a complete set of provisions that anticipates the mix of activities sought, and manages amenity through a comprehensive suite of provisions

8.2.4 Risks of acting or not acting

Section 32(2)(c) of the RMA requires this evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. It is considered that sufficient information has been gathered to justify proceeding with the plan change request and that the risk of acting on this information is less than not acting. The s32 evaluation will continue to be refined in relation to any new information that may arise following any notification process, including any hearings.

It is also considered that there is sufficient information to enable the timely processing of the plan change request.

8.3 Section 32 analysis conclusion

Pursuant to section 32 of the Resource Management Act 1991, the evaluation contained in this report confirms that the proposed provisions are considered to be the most appropriate way of achieving the purpose of the Act, being a simple and straightforward manner of providing a comprehensive suite of planning provisions to enable a greater mix of activities across the site, meeting the requirements of the Act and are the most efficient and effective means of facilitating the use and development of the subject land into the foreseeable future.

9 CONSULTATION

Consultation is not a mandatory requirement as part of the development of a plan change request however, Section 6 of Schedule 4 of RMA (which is included by cross reference from Section 22(2) of Schedule 1 of the RMA) states that, where consultation has been undertaken, details are to be provided. The discussion below summarises the consultation that has been undertaken.

9.1 Auckland Council

A series of pre-application meetings have been held with Auckland Council, including the Auckland Design Office and Healthy Waters. Matters discussed at the meetings included:

- Urban design and integration of the site with the business park
- Height, visual impact and shading
- Displacement of commercial activity
- Infrastructure capacity
- Transport, access and parking

The matters raised by Auckland Council in pre-application discussions have been addressed in the specialist report prepared in support of the application and the preceding assessment.

9.2 Mana Whenua

The applicant has sought to engage with Mana Whenua in relation to the proposed plan change. The applicant sent all 19 recognised mana whenua iwi groups a summary of the proposed plan change and offered to meet with iwi groups to discuss the plan change in further detail. Only one response was received from Ngai Tai, who advised that they did not have any objection to the proposed plan change.

9.3 Maungakiekie Tamaki Local Board Local Board

The applicant provided the Maungakiekie Tamaki Local Board with a summary of the proposed plan change and offered to meet the Local Board to discuss the details of the plan change proposition. The Local Board advised that it had no concerns with the proposed plan change.

9.4 Kiwirail

The applicant provided Kiwirail with a summary of the proposed plan change. Kiwirail provided comments relating to building setback and noise and vibration effects on noise sensitive activities within 100m of the railway corridor.

For amenity and safety reasons Kiwirail has *requested that buildings are set back 5 metres from the centreline of the railway. The reason for this request is that the distance allows future occupants a safe distance to maintain buildings without needing to access (or potentially trespass) on the railway corridor. It also significantly reduces the risk of injury or damage from or to persons on or within the building, caused by those persons encountering activities in the railway corridor (i.e. when using scaffolding, washing poles, hoses) including stanchion poles and wires.*

The Business Mixed Use zone includes a 3m side and rear yard control to provide for a buffer between buildings and activities. There is a culvert and a row of mature Pohutukawa trees located on the eastern boundary of the site adjacent to the rail corridor. In combination, these would provide sufficient setback to ensure that there is room for building maintenance and mitigate risks the risk of injury or damage.

Kiwirail has also sought ensure that adjacent development considers the health effects of development within a 100m effects zone from the railway corridor. The Auckland-wide controls contain specific noise levels for sensitive activities in the Business Mixed Use zone. This includes standards applicable to bedrooms and sleeping areas during night time hours. Noise sensitive spaces must be designed and/or insulated so that the internal noise levels do not exceed specified levels. Any future development of the site for residential use would need to comply with the relevant standards or seeks resource consent to infringe them.

9.5 [New Zealand Transport Agency](#)

The applicant provided NZTA with a summary of the proposed plan change. NZTA also raised issues relating to noise from the Southern Motorway. The comments made above also apply in the context of noise generated by the motorway and the need for future residential activity to comply with the noise levels for sensitive spaces.

10 CONCLUSION

This report has been prepared in support of CP Auckland LP's request for a plan change to the provisions of the Auckland Unitary Plan to rezone the site at 666 Great South Road, Ellerslie from Business Park zone to Business Mixed Use, remove the site from the Central Park Precinct, include a Height Variation Control and other consequential amendments.

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

Specialist reports have been prepared in support of the application covering urban design, landscape and visual, transport, economic, geotech and contamination. Based on these reports, a comprehensive analysis of potential adverse effects has been provided in section 6 of this report where it was concluded that the proposed plan change provisions will ensure that effects will be avoided or reduced to an acceptable level

An assessment against the provisions of Section 32 of the RMA is provided in section 7 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 Act and an examination of whether the provisions of the plan change are the most appropriate way to achieve its 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 Act and should be accepted and approved.



Mark Vinall

Director | Tattico

September 2019

ATTACMENT A

CERTIFICATES OF TITLE

ATTACHMENT B

PROPOSED PLAN CHANGE AMENDMENTS TO THE AUCKLAND UNITARY PLAN

PREPARED BY TATTICO

ATTACHMENT C

URBAN DESIGN FRAMEWORK AND LANDSCAPE VISUAL ASSESSMENT REPORT

PREPARED BY CONTEXT ARCHITECTS

ATTACHMENT D

TRANSPORT IMPACT ASSESSMENT

PREPARED BY TRAFFIC PLANNING CONSULTANTS

ATTACHMENT E

ECONOMIC ASSESSMENT REPORT

PREPARED BY PROPERTY ECONOMICS

ATTACHMENT F

INFRASTRUCTURE REPORT

PREPARED BY BLUE BARN CONSULTING

ATTACHMENT G

GEOTECHNICAL AND GROUND CONTAMINATION ASSESSMENT

PREPARED BY TONKIN & TAYLOR