



PRIVATE PLAN CHANGE REQUEST

NEW NORTH ROAD
MT ALBERT

SECTION 32 ASSESSMENT REPORT

PREPARED FOR:
TRAM LEASE LIMITED

17-Feb-2021

B&A
Urban & Environmental

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1.0 THE APPLICANT AND PROPERTY DETAILS

To:	Auckland Council
Site Address:	New North Road, Mount Albert
Applicant's Name:	Tram Lease Ltd
Address for Service:	Barker & Associates Ltd PO Box 1986 Shortland Street Auckland 1140 Attention: Karl Cook/Shannon Fallon
Legal Description:	Refer to Certificates of Title as Appendix 2
Site Area:	23,000m ² Approximately
AUP Zoning:	Business - Mixed Use Business – Town Centre
Overlays:	Natural Heritage: Regionally Significant Volcanic Viewshaft and Height Sensitive Area Overlay – A13 Mount Albert Viewshaft Natural Resources: Quality-Sensitive Aquifer Management Areas Overlay – Auckland Isthmus Volcanic
Existing Controls:	Height Variation Control – Mount Albert, 18m Building Frontage Control – Key Retail Frontage Macroinvertebrate Community Index - Urban
Additional Limitations:	Overland flow paths and flood plain
Locality Diagram:	Refer to Figure 1
Brief Description of Proposal:	Private Plan Change request to increase the Height Variation Control that applies to 911- 953 New North Road from 18m to 24m. Apply a Height Variation Control to 955-975 New North Road to enable buildings up to 24m.

2.0 EXECUTIVE SUMMARY

Tram Lease Ltd is applying to Auckland Council for a plan change to the Auckland Unitary Plan – Operative in Part (AUP (OP)) to increase the permitted height limit that applies to the land at 911- 953 New North Road from 18m to 24m (22m occupiable and additional 2m for roof form). The proposed height limit will enable greater level of development on this land, allowing for an additional one to storey storeys and a more efficient use of this land resource.

The Plan Change is in keeping with the outcomes sought in the Auckland Plan and the Regional Policy Statement as it enables the efficient use of the Plan Change area and promotes quality intensification within a location which is accessible to public transport, open space and centres.

Further the Plan Change is wholly in keeping with the National Policy Statement on Urban Development (NPS – UD) which came into effect on 20 August 2020 and which emphasises the need to allow for growth upwards by enabling building heights of at least six storeys within a walkable catchment of existing and planned rapid transit stops, and the edge of city centre and metropolitan centre zones. The Plan Change area is located within walking distance of the Mount Albert train station, adjoins an arterial road and is also well serviced by a regular bus network.

The existing zoning and Auckland-wide provisions of the AUP (OP) will ensure that future development of the subject landholdings will achieve the higher-level objectives and policies of the Regional Policy Statement. Specialist urban design, transport, infrastructure and landscape and visual assessment reports that have been prepared for the Plan Change application confirm that the proposed height increase is appropriate in this location.

An evaluation in accordance with section 32 of the Resource Management Act 1991 (RMA) has been undertaken and concludes that the proposed height limit will more effectively and efficiently achieve the objectives of the AUP, and the purpose of the RMA, than the current planning provisions that apply to the Plan Change area.

3.0 INTRODUCTION

3.1 BACKGROUND

3.1.1 The Applicant

Tram Lease Ltd is one of New Zealand’s largest privately held property investment groups with a property portfolio spanning some 28 hectares located predominantly in Auckland on key transport routes. Tram Lease Ltd is a significant property portfolio based mainly in the upper North Island with a diverse range of site sizes and

development scale. In Auckland, properties are generally on key transport nodes, well positioned to accommodate high density and mixed use development as the city grows. This includes large tracts of former railway land around Newmarket as well as a portfolio of commercial and industrial sites through Onehunga, Penrose and more widely across the North Island.

Tram Lease Ltd is seeking to increase the permitted height within the south western blocks of Mount Albert Town Centre zoned land (911-975 New North Road), located on the northern side of New North Road to enable buildings of 24m in height. Tram Lease Ltd envisages that the Plan Change will provide for the redevelopment of Mount Albert town centre enabling intensive mixed use development and more efficient use of land within the centre and adjoining the Mount Albert train station.

3.2 ACCEPTING THE PLAN CHANGE REQUEST (CLAUSE 25)

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

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

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

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

In this context, the Plan Change is considered to be in accordance with sound resource management practice as it is consistent with the outcomes sought in the Auckland Plan, Regional Policy Statement and NPS-UD in relation to intensifying existing urban town centres and areas serviced by public transport to achieve a quality compact urban form. The Plan Change will enable quality intensification within Mount Albert town centre on land adjoining the Mount Albert train station, promoting public transport use and active transport modes. Furthermore, all

necessary statutory requirements have been met, including an evaluation in accordance with section 32¹ of the RMA with supporting evidence.

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

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

4.0 SITE LOCATION AND DESCRIPTION

4.1 SITE DESCRIPTION

The Plan Change area is approximately 23,000m² and covers the south western blocks of the Mount Albert town centre located on the western edge of the Auckland Isthmus. The Plan Change area includes the properties at 911 -975 New North Road and is bounded by the railway line to the north-west and New North Road to the south-east. Tram Lease Ltd has large landholdings within the Plan Change area. A locality plan of the Plan Change area is included as **Figure 1** below.



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

The Plan Change area is located within the Business – Town Centre and Business-Mixed Use zones refer **Figure 2**. The land within the Business – Town Centre zone is subject to the Height Variation Control allowing the development of buildings up to 18m in height. The height limit of buildings within the Business- Mixed Use zone is 18m.

¹S32 of the RMA

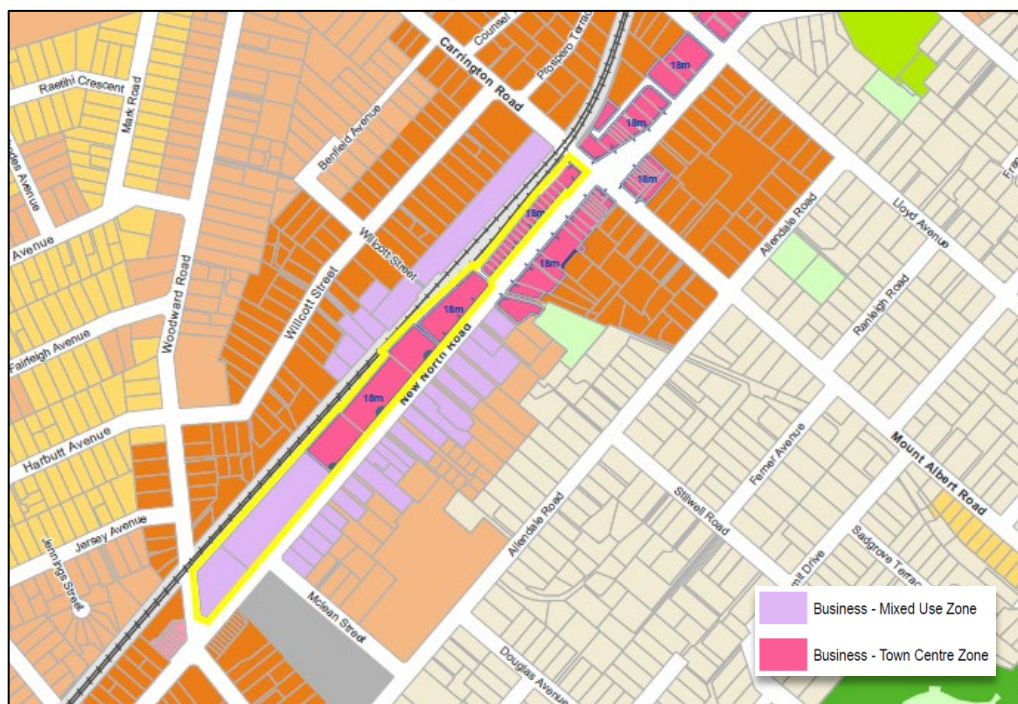


Figure 2: AUP zoning with the site outlined in yellow (Source: Auckland Council Geomaps)

A Regionally Significant Volcanic Viewshaft and Height Sensitive Area Overlay – A13 Mount Albert Viewshaft – passes over the majority of the Site, except for the northern-most part of the Plan Change area by Mount Albert Road. The Viewshaft has a height above the Site of generally 24.5m-27.5m, decreasing to 21.5m at the Site’s southern end and 20.5m at its northern end.

A Building Frontage control applies to the New North Road frontage of the Site’s Town Centre zoned land. This control requires adjoining buildings to activate the street and be built along the length of their road frontage.²

All of the land (and that in a large area to the north-west and south-east) is subject to a sensitive aquifer management area overlay.

Overall, the topography of the Plan Change area is relatively flat, dipping midway along its length by approximately 5m, and there are no known heritage items/places, significant indigenous habitat or vegetation within the Plan Change area.

Auckland Council’s GeoMaps indicates that the central portion of the Plan Change area is subject to a flood plain and traversed by overland flow paths.

The Plan Change currently contains a mixture of commercial buildings with a variety of commercial and retail leases. Buildings within the older retail core of Mount Albert

² Town Centre zone policies H10.3(18) and (19).

town centre are largely from the early to mid-twentieth century, are on narrow sites of a typical 5-8m width, and are one to primarily two storeys in height. Buildings within the retail core adjoin and provide a continuous edge along their street boundary.

The buildings located further south (from Ballast Lane through to Woodward Road) however, are a mixture of commercial/industrial buildings with larger footprints and at grade carparking. These buildings present a poor-quality street frontage. At the southern end of the Plan Change area is a petrol station (975 New North Road).

There is an at grade carpark at 915-919 New North Road which is sleeved with public toilets and a bus stop shelter. This carpark provides pedestrian access through to Mount Albert train station. This parcel is held by Auckland Council in a leasehold arrangement from the applicant.

4.2 SURROUNDING AREA / LOCAL CONTEXT

The Mount Albert town centre is centred around the New North Road and Carrington Road intersection. The Plan Change area covers the south western portion of the Mount Albert town centre. The Mount Albert town Centre extends north of the Plan Change area across Mount Albert Road. It also extends to the east between Mount Albert Road and Ballast Lane. The built form within the Mount Albert town centre largely consists of finer grain strip retail.

The zoning pattern of the wider area spanning out from Mount Albert town centre is, very loosely, concentric. At its core is Town Centre zoning, surrounded by Mixed Use zoning. The Plan change area comprises both Town Centre and Mixed Use zoned land, however the majority of the Plan Change area is Town Centre zoned. From there, it transitions to Terrace Housing and Apartment Building (THAB) zoning, through to Mixed Housing Urban, Mixed Housing Suburban and Single House zoning.

To the north of the Mount Albert town centre, are large older residential dwellings many of which are zoned Terrace Housing and Apartment Building. The THAB zone also extends to the east of the Mount Albert town centre to Allendale Road. Beyond Allendale Road the Single House zone and Special Character Overlay applies to the large character homes which line the residential streets that surround Ōwairaka / Mount Albert.

Directly to the west of the Plan Change area is the railway line and the Mount Albert train station. Immediately beyond the railway line is a residential area consisting of terrace housing and single dwellings. It is noted that this area has been rezoned as Business – Mixed Use along the railway line and THAB zone along Willcott Street.

Directly east to the southern portions of the Plan Change area the Business - Mixed Use zone has been applied. The area however, is currently characterised by single dwellings.

In 2017 – 2018 Mount Albert town centre underwent a major streetscape / infrastructure upgrade that included the implementation of a raised cycleway, wider pedestrian footpaths, and general upgrades to street trees, lighting and stormwater.

New North Road and Carrington Road are both arterial roads and are serviced by the Frequent Transit Network (FTN) with buses going to the CBD, across town to Penrose/Sylvia Park and Point Chevalier via Unitec. Mount Albert town centre is on the outer link route. Mount Albert train station is eight stops from Britomart (until the City Rail Link project is completed). Train frequency during peak commute times is every ten minutes. Travel time from the station to Britomart is 28 minutes. This is estimated to decrease to around twenty minutes after the opening of the City Rail Link.³

The Plan Change area is well served by amenities, with Gladstone Primary School, Elim Christian College, Mount Albert Grammar School and the Unitec Institute of Technology being in the wider area, along with the open space of Mount Albert / Owairaka Domain, Mount Albert Tennis Club, the Mount Albert Aquatic Centre, services within the town centre, Mount Albert train station, and Pak'n Save supermarket further south on New North Road.

5.0 DESCRIPTION OF THE PLAN CHANGE REQUEST

5.1 DESCRIPTION OF THE PROPOSAL

The Plan Change proposal addressed by this report seeks to amend the AUP Maps to:

- Increase the Height Variation Control that applies to 911- 953 New North Road from 18m to 24m (22m occupiable and additional 2m for roof form).
- Apply a Height Variation Control to 955-975 New North Road to enable buildings up to 24m (22m occupiable and additional 2m for roof form).

Consequential amendments are required to Table H10.6.1.1 and Table H13.6.1.2 to reflect the proposed amendments to the AUP Viewer.

The proposed amendments are set out in full within **Appendix 1**.

³ <https://www.cityraillink.co.nz/crl-travel-times>.

In summary, the Plan Change will allow future buildings within the Plan Change area to accommodate an additional one to two storeys of buildings by comparison with the current AUP (OP) provisions.

5.1.1 Relationship with the Regionally Significant Volcanic Viewshaft Overlay and Height Sensitive Areas Overlay

The Plan Change area is subject to the 'Regionally Significant Volcanic Viewshafts and Height Sensitive Areas Overlay – A13, Mount Albert'. This overlay acts to protect views of Ōwairaka from an identified origin point in Te Atatu. The overlay restricts the height of buildings across the plan change area to be between approximately 20.5m and 27.5m.

To exceed the height limits set out under the Viewshaft overlay a non-complying activity resource consent is required, which must be publicly notified. Under C1.6(2) the overall activity status of a proposal is that of the most restrictive rule which applies to the proposal. Therefore, any future development will need to comply with the Regionally Significant Volcanic Viewshafts and Height Sensitive Areas Overlay – A13, Mount Albert height limits, meaning that in specific areas the proposed additional height will not be able to be realised across the entire Plan Change area without non-complying activity resource consent.

This situation is not uncommon and there are various instances throughout the city, across all zones, where the zone height exceeds the height permitted under the volcanic viewshaft overlay. Specific examples of where the Town Centre zone height restriction exceeds the viewshafts include:

- Onehunga town centre – the volcanic viewshaft ranges in height between 23.5m and 30m in height across the town centred zoned land, with a height of 27m permitted under the Town Centre zone provisions;
- Royal Oak town centre - the volcanic viewshaft ranges in height between 15.5m and 26.5m in height across the town centre zoned land, with a height of 27m permitted under the Town Centre zone provisions; and
- Greenlane town centre - the volcanic viewshaft ranges in height between 18.5m and 37.5m in height across the town centre zoned land, with a height of 24m permitted under the Town Centre zone provisions.

The proposed height increase is therefore considered consistent with the current planning framework.

5.1.2 Spatial Extent of the Plan Change Area

The spatial extent of the Plan Change area has been applied to the south western blocks of the Mount Albert town centre. The Plan Change area has particular

characteristics that enable specific outcomes to be achieved. These include that it is largely in single ownership which will enable it to be comprehensively developed to take advantage of the increased height limit. The Plan Change area also directly adjoins the railway line. The railway lines will provide a greater buffer between the increased height limit area and residential environment to the east.

The areas of the Mount Albert town centre zone which are not included within the Plan Change area directly adjoin residential properties (zoned THAB). Retaining the 18m height limit on these sites will enable transition in height, with lower buildings adjoining the residential properties. Similarly, the Mixed Use zoned properties on the southern side of New North Road has land to the south of these properties that is zoned Residential – Mixed Housing Urban.

Further analysis of the spatial extent of the Plan Change area is set out within Section 9.

5.2 PURPOSE AND REASONS FOR THE PLAN CHANGE

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

The purpose of the Plan Change is to apply a 24m height limit to the properties at 911-975 New North Road, to increase the efficient and effective use of this highly accessible land within the Mount Albert town centre area whilst achieving a quality built environment, maintaining the amenity values of the locality and avoiding intrusion into the identified viewshafts to Owairaka/Mt Albert.

The reason for this Plan Change is that the applicant, who is the majority landowner of the Plan Change area, wishes to enable development on the site in a manner consistent with the 24m height limit, which this Plan Change request will permit.

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

6.0 POLICY FRAMEWORK

6.1 NATIONAL POLICY DOCUMENTS

6.1.1 National Planning Standards

The National Planning Standards came into effect on 5 April 2019. These codify the structure, mapping, definitions and noise/vibration metrics of district, regional and unitary plans. Auckland Council has 10 years to implement these changes. This Plan Change applies the standard AUP Height Variation Control and makes consequential amendments to the standard AUP zones, which are broadly consistent with the planning standards.

6.1.2 National Policy Statement on Urban Development

The National Policy Statement on Urban Development (NPS – Urban Development) came into effect on 20 August 2020. The NPS – Urban Development will replace the NPS on Urban Development Capacity. The NPS – Urban Development contains objectives and policies that require councils to carry out long term planning to accommodate growth and ensure well-functioning cities. There is an emphasis on allowing for growth ‘up’ and ‘out’ in a way that contributes to a quality urban environment, and to ensure their rules do not necessarily constrain growth. Councils must also enable higher density development in areas close to employment, amenity, infrastructure and demand.

The Plan Change is completely in keeping with the policy direction of the NPS – Urban Development. Of particular relevance is Policy 3(c), which requires that Tier 1 councils (which includes Auckland Council) have regional policy statements and district plans that enable building heights of at least six storeys within at least a walkable catchment of existing and planned rapid transit stops, and the edge of city centre and metropolitan centre zones. The Plan Change area is located within walking distance of the Mount Albert train station (the furthest property within the Plan Change area being 955 New North Road, which is located just an 11-minute walk from the station) and is also well serviced by the bus network. In particular, there are a number of bus stops located immediately adjacent the Plan Change area providing regular services to the CBD and west Auckland and is serviced by the Outer Link which provides connections to the inner suburbs of Auckland City including the Universities, Parnell, Newmarket, Epsom, Balmoral, St Lukes, Unitec, Westmere, Herne Bay and Three Lamps. The Plan Change area is also well located in terms of access to open space and education options. The Plan Change provides for increased development capacity therefore ensuring the efficient use of this highly accessible land and promoting development that encourages the use of public transport.

6.2 COUNCIL STRATEGIC PLANS

6.2.1 Auckland Plan 2050

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

In terms of the form of development, the Auckland Plan takes a quality compact approach to growth and development. The Auckland Plan defines this as⁴:

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

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

The Plan Change area forms part of the Mount Albert town centre and is exceptionally well serviced by public transport as it adjoins the Mount Albert train station and New North Road/ Mount Albert/Carrington Road FTN. It also is in close walking distance to a range of social amenities such as open space, education, community and cultural facilities. The Plan Change area is serviced by existing infrastructure.

The Plan Change provides an opportunity to increase development capacity, maximising the efficient use of highly accessible centre land in the Auckland Isthmus area. Development capacity is maximised through increasing the height limit from 18m to 24m to allow an additional 1-2 stories depending on the volcanic viewshaft. Whilst development proposals have not yet been advanced, it is anticipated that the Plan Change will provide for a potential GFA uplift of approximately 37,400m² across the Plan Change area.

⁴ Auckland Plan 2050, pg. 206.

The underlying zone provisions anticipate buildings of this height as the Height Variation Control which applies within the Mixed Use and Town Centre zone can enable buildings that exceed 27m. All new buildings in the Town Centre and Mixed Use zones require resource consent with an emphasis on building design. Therefore, the planning framework within the underlying zones can be relied upon to achieve the built outcomes sought for buildings up to 24m in height.

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

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

7.0 REGIONAL POLICY STATEMENT AND PLANS

7.1 AUCKLAND UNITARY PLAN (OPERATIVE IN PART)

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

B2.2 Urban Growth and Form

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

The Plan Change is consistent with this policy direction as it provides for a mixed use development that contributes to a quality compact form. The increased height will enable a significant increase in commercial or residential floor area within the Mount Albert town centre and on land adjoining the Mount Albert train station and the FTN that runs along New North Road. The increased height limit will also enable more commercial and residential capacity within walking distance to Unitec, Gladstone Primary School, Elim Christian College, Marist Primary School and College, Mount Albert Grammar and Mount Albert School and Owairaka/Mount Albert Domain. This provides for a significant increase in the efficient utilisation of a land resource and

existing infrastructure. Additionally, enabling greater opportunity for the co-location of commercial and residential uses reduces the pressure on transport infrastructure.

B2.3 A Quality Built Environment

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

The southern portion of the Plan Change area consists of development with poor street frontage which doesn't contribute to the pedestrian amenity outcomes sought in town centres. While the strip retail development is an improvement it is interspersed with at grade carparking which detract from the vibrancy and safety of the streetscape. The redevelopment of this area presents an opportunity to achieve quality built environment objectives and contribute to an increased level of amenity within the Mount Albert town centre. A design assessment is required for all new buildings within the Town Centre and Mixed Use zones. The standards and criteria anticipate buildings over 27m therefore these can be appropriately applied to buildings utilising the 24m height limit proposed as part of this Plan Change.

In addition, the 24m height limit increases amenity within the town centre by creating a greater buffer between the centre and the railway lines.

B4.3 Viewshafts

There is a direction to protect significant views to and between the maunga to recognise their outstanding values, maintaining their visual integrity and providing visual access to landmarks across Auckland. There is an emphasis on avoiding subdivision, use and development that will result in the significant modification or destruction of the view or detract from the values of the view. This policy direction is directly relevant to the Plan Change area as the majority of the Plan Change area is subject to the Regionally Significant Viewshaft and Height Sensitive Areas Overlay – A13 Mount Albert, Viewshafts.

The Plan Change is consistent with this policy direction because although the proposed height limit does exceed the viewshaft in some instances, this height limit will not be realised as Rule C1.6(2) ensures that the overall activity status of a proposal is that of the most restrictive rule. Therefore, any proposal to protrude into Viewshaft A13 Mount Albert will continue to trigger a non-complying activity status, despite compliance with the Height Variation Control. The Plan Change does not propose to amend this rule and consequently, allows this regionally significant view of Mount Albert/ Ōwairakato be preserved.

B4.2 Outstanding Natural Features and Landscapes

The Ōwairaka (Mount Albert) volcanic cone lies 650m to the south east of the Mount Albert Town Centre and is scheduled in the AUP (OP) as an Outstanding Natural Feature (ONF). The objectives and policies within Chapter B4.2 seek to protect ONFs from inappropriate subdivision, use and development, recognise and provide for the ancestral relationships of Mana Whenua with these features and landscapes and protect the visual and physical integrity of Auckland's volcanic features.

The Plan Change will not physically effect Ōwairaka and the regionally significant viewshaft will be preserved. The Visual Effects Assessment prepare by Boffa Miskell finds that from Ōwairaka the Plan Change will not visually interrupt the backdrop of the urban context, Whau River or the Waitakere Ranges.

Summary

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

7.2 OTHER PLANS

7.2.1 2018 Albert-Eden Local Paths (Greenways) Plan

A plan to provide a network of greenway connections was developed by the Albert-Eden board in 2013 and updated in 2018. The 'Albert-Eden Greenways Plan' sets out the long term paths plan for the Albert-Eden Local Board area to provide increased opportunities for active transport.

The Greenways Plan encompasses the Plan Change area however no paths are proposed within the plan change area itself. An express commute path is envisaged extending along Mount Albert Road to the north of the plan change area. The implementation of the Greenways Plan has the potential to increase transport modes to better connect the plan change area to the wider Albert-Eden area.

8.0 CONSULTATION

8.1 MANA WHENUA CONSULTATION AND ENGAGEMENT

Mana whenua groups with a registered interest in this area were notified of the proposal on 23 July 2020. Of the 12 groups contacted three responses have been received to date as follows:

- Ngāti Whātua O Kaipara – defer to Ngāti Whātua Ōrākei

- Ngāti Whātua Ōrākei - requested further engagement however a site visit has not yet been arranged. Consultation ongoing is ongoing at time of lodgement.
- Ngati Te Ata Waiohua - defer comment until application is formally submitted.

A copy of this correspondence is included at **Appendix 9**.

8.2 CONSULATION WITH THE TUPUNA MAUNGA AUTHORITY

The Tupuna Maunga Authority (TMA) was notified of the proposal via email on 23 July 2020. Feedback was received on 13 August from Mr Dominic Wilson and a copy of that feedback is included at **Appendix 9**. The TMA raised two points of note:

“The Auckland Unitary Plan maps are a guide to the maximum building heights permitted by the viewshaft overlay. A licensed cadastral surveyor should confirm the precise R.L of the floor of the viewshaft relative to the plan change area.

If the proposed increase in building height is above the floor of the viewshaft, the additional 1 to 2 storeys cannot be achieved without a notified non-complying activity resource consent. The concern with the increased height is the expectation this creates notwithstanding the very clear direction in the Auckland Unitary Plan to avoid any effects of buildings intruding into the viewshaft”.

At this stage, as the proposal is for a plan change only a survey of the viewshaft is not considered necessary. The AUP (OP) requires that a surveyor’s statement be submitted with a resource consent application at which time the floor of the viewshaft would be confirmed and it would be up to the landowner/developer to ensure compliance with the viewshaft provisions. However, the accuracy of the drawings provided in support of the Plan Change has been confirmed as outlined the in the methodology statement prepared by Jasmex (refer **Appendix 4**).

With regards to the second point, as discussed in Section 5.1.1 it is not uncommon for the AUP (OP) zone height to be greater than the height permitted under the volcanic viewshaft overlay. To infringe the volcanic viewshaft overlay is a non-complying activity which must be publicly notified. We consider the current planning framework appropriately protects the viewshaft overlay. Further, we have reviewed the publicly notified resource consents available on Council’s website and note that of the 268 publicly notified resource consent applications since 2015 only three were for non-complying activity consent to breach the volcanic viewshaft overlay. One related to a residential property on the side of a maunga, another involved alterations to a rooftop plant area of an existing building in the city centre, and the other to sports field lighting poles in a park. This indicates that the planning framework is robust and that setting zone heights higher than the viewshaft overlay does not unduly set an expectation that the viewshaft can be intruded.

8.3 CONSULTATION WITH THE LOCAL BOARD

A workshop was held with the Albert/Eden Local Board on 11 August 2020. Formal minutes were not issued however the following key matters were discussed:

- The local board has aspirations to create a town square on the land at 915 New North Road, the board were keen to understand the implications of the plan change on this.
- The board was keen to understand the effects arising from the proposed height increase in terms of built form and building dominance and shading effects.
- Concerns were raised that the increased height may introduce risk that developers may seek to infringe the viewshaft overlay to realise the full 24m proposed under this plan change.
- Concerns were raised that there was the potential for future development may be 'car dominated'.

In response we note the following:

- The applicant is the owner of the site at 915 New North Road. Auckland Council holds this land in a ground lease arrangement with perpetual rights of renewal. The plan change would not prevent a town plaza being established in this location. The applicant further advised that this matter can be discussed with the board separately as required.
- With regards to dominance and shading effects, there are various amenity controls (for example height in relation to boundary and building setback controls) in the AUP (OP) to protect properties from adverse shading effects. These controls apply to residential to residential interfaces and business to residential interfaces. In this case, the Plan Change area is primarily adjacent Mixed Use and Town Centre zoned land, with the exception of driveways to panhandled residential zoned properties on the south-eastern side of New North Road. There are no such amenity controls at business zone to business zone interfaces. Height in relation to boundary and setback controls apply to the driveways of the residential properties, which will ensure the amenity values of these properties are maintained.
- With regards to potential visual dominance effects, all buildings in the Town Centre and Mixed Use zones require resource consent. As such, Council will have the opportunity to assess building design at resource consent stage. It is considered that the current zone provisions provide appropriate mechanisms to manage shading and visual dominance effects from any future buildings.
- As above, we consider that the AUP (OP) provisions provide an appropriate level of control to ensure the viewshaft is protected and maintained. For the reasons outlined in sections 5.1.1 and 7.4 above we do not consider that the proposed

height increase will set an expectation that the volcanic viewshaft can be infringed.

- The Town Centre zoned land is subject to the general commercial frontage control (central portion) and key retail frontage control (northern portion), the purpose of these controls is to ensure a pedestrian focused environment. These controls would need to be addressed as part of any future resource consent application for development of buildings on the land.

The AUP (OP) specifies minimum parking rates for retail and commercial service activities on Mixed Use and Town Centre zoned land. The NPS – UD requires that minimum parking rates be removed from district plans and as such it is anticipated that there will be a shift in approach to providing onsite parking over time. As these sites are progressively redeveloped it is anticipated that, given the zoning provisions and the change in national policy direction, there will be a move away from the car dominated land uses which currently characterise the Mount Albert town centre.

8.4 CONSULTATION AND ENGAGEMENT WITH AUCKLAND TRANSPORT

Details of the proposal were provided to Auckland Transport via email on 21 August 2020 and a copy of the feedback is included at **Appendix 9**. Further information has subsequently been provided to Auckland Transport and consultation is ongoing at time of lodgement. Specific responses to the queries raised have been included in updated transport assessment (refer **Appendix 7**).

8.5 CONSULTATION WITH WATERCARE

Details of the proposal were provided to Watercare via email on 25 August 2020, feedback was received on 5 October 2020 and is included at **Appendix 9**. Whilst Watercare identifies a capacity constraint within the wider network, they acknowledge that this would be addressed as part of future applications for redevelopment in the plan change area. Consultation with Owners And Occupiers

The owners and occupiers were informed of the proposal via email/letter drop on 23 July 2020. Two responses were received as follows:

- From the occupiers of 945a New North Road on 9 September, who oppose the Plan Change. Further details of the occupier’s concerns were requested by way of reply email on 16 September, no response has been received to date.
- From the occupier of 911 New North Road, Mr Steve Gough, who did not raise any concerns about the proposal.

A copy of this correspondence is included at **Appendix 9**.

9.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

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

9.1 QUALITY BUILT ENVIRONMENT

An Urban Design assessment of the proposed Plan Change has been undertaken by Matt Riley of Barker & Associates and is included at **Appendix 5**. The Urban Design assessment assesses how the greater building scale and height sought through the Plan Change will facilitate a quality built environment.

The Urban Design assessment finds that the increased height will result in positive streetscape outcomes along New North Road as the higher height limit enables a greater degree of enclosure, reinforcing the legibility of Mount Albert town centre as a node within the wider environment. Furthermore, the full 24m height limit is achievable on the portion of the Plan Change area directly south of the Mount Albert/Carrington and New North Road intersection, as these properties (911 and a portion of 915 New North Road) are unaffected by the viewshaft. The volcanic viewshaft applies to the adjoining sites to the south-west and therefore the building adjoining the intersection could be a full storey higher. This height relationship will result in a positive outcome as the taller building will visually reinforce the intersection and train station acting as a 'marker' within the wider environment.

Overall, the Urban Design assessment concludes that the potential adverse effects of increased building height on neighbouring sites (including shading, visual dominance and privacy) are less than minor. The Plan Change area is bordered on all sides by roads and a railway corridor. Adjacent zoning is primarily the less sensitive Town Centre and Mixed Use zones, with a lower proportion of THAB zoning towards the southern end of the Plan Change area. The nearest area with the more sensitive Single House zoning is 118m from the Plan Change area. This separation will satisfactorily manage any potential increase in privacy and dominance effects.

With regards to shading on the public realm, whilst the additional height will introduce shading of New North Road earlier in the day than would occur under the current height control, there is no expectation of sunlight access in centre Town Centre and Mixed Use zones. This is reflected in the purpose of the AUP (OP) maximum height control which specifically excludes consideration of shading effects on streets. Shading effects on the public realm created by the additional height is therefore considered appropriate.

With respect to how taller development within the Plan Change area will achieve quality built environment outcomes, the urban design assessment concludes that the AUP (OP) already manages design quality in the Town Centre and Mixed Use zones, including on sites with a Height Variation Control greater than 24m, through requiring Restricted Discretionary consent for new buildings.⁵ Furthermore, the assessment finds that there are no particular unique characteristics or sensitivities of the Plan Change area or surrounding environment that require additional management mechanisms to achieve high quality development.

Overall, the proposed change to the height standards will facilitate a redevelopment of the Plan Change area that will have positive effects, increasing the visual legibility of Mount Albert town centre and the adjoining area of New North Road as a node and supporting the vitality and use of the centre and rail station.

9.2 LANDSCAPE AND VISUAL AMENITY

An Assessment of Landscape and Visual Effects has been prepared by Julia Wick of Boffa Miskell in support of this Plan Change application and is included at **Appendix 6** to this report.

Landscape Effects

The Landscape Effects assessment concludes that the Plan Change will result in positive landscape effects. The Plan Change area sits within a context of a developed town centre and is subject to a permitted height limit under the AUP (OP) that is a much greater height and intensity of development than demonstrated at present. The addition of taller buildings into this town centre environment will positively reinforce the presence of the Mount Albert centre as a town centre. In a wider landscape context, the Plan Change area is appropriately located for urban intensification, in that it is not highly visible and will relate to the existing urban amenities in the local context.

The landscape assessment further concludes that the additional height proposed within the Mount Albert town centre will sit comfortably away from the lower slopes of Mount Albert / Ōwairaka. The A13 Volcanic Viewshaft height restrictions will take precedence and ensure that the maunga, its profile and open space values are retained.

Visual Effects

The Visual Effects assessment finds that development enabled by the Plan Change will result in noticeable visual changes due to the increased height of buildings within the Plan Change area from is currently provided for in the AUP (OP) and what

⁵ Activity A35 in Table H10.4.1 and Activity A45 in Table H13.4.1.

currently exists. The assessment finds that overall, the proposed height contributes to the town centre scale of this part of the city through reinforcing the mixed use, destination qualities of the locality.

At a surrounding neighbourhood streetscape level, development enabled by the Plan Change can be viewed from the surrounding residential streets including those south of New North Road and north of the Plan Change area around Willcott Street and Prospero Terrace, visitors to local schools and retirement villages, road users along local roads (particularly New North Road, Carrington Road and Mount Albert Road) and passengers using the trains and Mount Albert station. Much of the surrounding area has been upzoned to THAB, Business Mixed Use and Town Centre zones under the AUP (OP) and can be expected to intensify over time. The Plan Change area is not immediately adjacent to any neighbouring sites, with separation provided by roads and the rail corridor and therefore shading and dominance effects will be mitigated. Whilst more development will be visible from these close proximity views, seeing taller development will not result in any adverse visual effect.

Development enabled by the Plan Change will also be able to be seen from the residential properties to the south east of the site at the foothills of Ōwairaka, with residents within the band between Duart Avenue and Allendale Road making up the most sensitive viewing audience. These viewing audiences have the potential for stationary long-term views of the additional height components of the proposal. The visual assessment concludes however, that these properties are well separated to avoid any adverse dominance or privacy issues.

Development enabled by the Plan Change will be able to be viewed from some positions on the summit of Ōwairaka where the Plan Change area is not screened by existing vegetation. The visual assessment concludes however, that development utilising the 24m height limit will not visually interrupt or breach the backdrop of the urban context, Whau River or Waitakere Ranges from this viewpoint.

Within the wider context the increase in height enabled by the Plan Change will be able to be viewed from the summit of Mount Eden/Maungawhau, One Tree Hill/Maungakiekie and from locations along SH16 (travelling east) and Te Atatu Peninsula. The assessment finds that the visual effects in respect of these wider viewing audiences, are very low as development enabled by the Plan Change will not impact the surrounding urban amenity and will sit comfortably into the existing urban fabric. Development will be seen as an integral component of the Mount Albert town centre and will be an appropriate form and scale for its location.

Overall, the Visual Effects assessment concludes that while development enabled by the Plan Change will be visible it does not appear out of character. In terms of future urban form and the legibility of the town centre, achievement of legible height in the landscape and more urban, taller buildings within the town centre will be beneficial

in reinforcing the nature of the town centre and railway relative to its more suburban residential surrounds.

9.3 TRANSPORT

Redevelopment of the site is not proposed as part of this application, and no changes are proposed to the AUP (OP) transport chapter. Nonetheless this Plan Change will provide additional development capacity to what is currently enabled under the AUP (OP) and a Transport Assessment has therefore been prepared by Todd Langwell of Traffic Planning Consultants and is included at **Appendix 7** to this report. It is not intended to repeat that assessment rather the key conclusions are summarised below:

- The subject site is very well served in terms of public transport, being within walking distance of the Mount Albert train station and a number bus stops along New North Road which are serviced by regular services to western Auckland, the CBD and the inner suburbs by the Outer Link.
- The proposed height limit could be expected to generate an additional 5-17% increase in vehicle movements over and above what can be expected under the current AUP (OP) provisions. It is considered this increase can be accommodated by the existing road network.
- There are a number of controls within the AUP (OP) to manage the transport-related effects of the redevelopment of the site as would be provided for by the proposed height limit. This includes vehicle access restrictions, maximum parking limits for office developments, no minimum parking requirements for residential developments, requirements for trip generation assessments and provision of bicycle storage and end of trip facilities to encourage alternative modes of transport.

Overall, the Plan Change area is well placed from a transport perspective to accommodate the additional level of development enabled by the Plan Change.

9.4 OPEN SPACE AND COMMUNITY FACILITIES

The Plan Change area is highly accessible to open space and community facilities. In particular, Ōwairaka / Mount Albert Domain, Ferndale Park, Oakley Creek Reserve and Anderson Park are located within an 800m walking catchment. Anderson Park contains sports fields and Ferndale Park contains a croquet club.

The Plan Change area is also well serviced by community facilities. Unitec and Gladstone Road Primary School are located within an 800m walking catchment along Carrington Road. Elim Christian College is located directly across the road from the southern portion of the Plan Change area. Mount Albert Grammar, Marist College

and the Mount Albert Aquatic Centre are located within a 2km catchment of the Plan Change area. Furthermore, Mount Albert town centre is a retail and employment area which offers a range of amenities and services.

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

9.5 SERVICING

An infrastructure report was prepared by Ama Chandrasena of Maven to inform the Plan Change, which is included at **Appendix 8** to this report. In summary:

- The Plan Change area is well serviced by existing public infrastructure and suitable for development;
- There are no restrictions on the capacity of the water supply network and development within the Plan Change area can connect to the existing network;
- Power and telecommunications can be readily extended to service the Plan Change area;
- Stormwater and wastewater can be provided to service the Plan Change area and will be confirmed through the consenting stage;
- The Plan Change area is subject to several overland flow paths, whilst the lower parts of the area are subject to flooding and identified as flood prone land. Any development under the proposed provisions would be subject to the same controls with regards to natural hazards and specific design will be required to support any future development application.

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

9.6 SUMMARY OF EFFECTS

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

10.0 SECTION 32 ANALYSIS

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

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

10.1.1 Objectives of the Plan Change

The Plan Change is to alter an existing standard within the AUP (the Height Variation Control for the respective Town Centre and Mixed Use zones) applying to the subject land. The particular AUP objectives which relate to this standard in the respective zones include:

- *H10.2(7) The scale and intensity of development in town centres is increased while ensuring development is in keeping with the planning and design outcomes identified in this Plan for the relevant centre.*
- *H13.2(6) Moderate to high intensity residential activities and employment opportunities are provided for, in areas in close proximity to, or which can support the City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and the public transport network.*

10.1.2 Assessment of the Objectives against Part 2

The AUP (OP) objectives identified in section 10.1.1 of this report are operative and therefore have been thoroughly assessed against Part 2 of the RMA through the AUP plan review process. For completeness however, further assessment is included below.

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

The objectives of the Plan Change are consistent with Part 2 of the RMA, given that the Plan Change area will provide opportunities for quality intensification in an area with excellent accessibility to public transport and amenities, enhancing the social, cultural and economic well-being of future residents of the Plan Change area.

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

The Plan Change does not compromise the recognition of, or provision for these matters of national importance for the reasons set out in Section 8 of the report above. In particular, the Plan Change proposal will not compromise the A13 Mount Albert Viewshaft, as the Viewshaft – and non-complying activity status for any exceedance - will continue to apply over the Height Variation Control allowing this regionally significant view of Ōwairaka / Mount Albert to be preserved. There are no protected historic heritage places on the site and the proposal will not exacerbate risks from natural hazards.

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

b) The efficient use and development of natural and physical resources - The Plan Change will support the efficient use of natural and physical resources by applying a height limit that will provide for more intensive residential and business development in a highly accessible and market desirable area.

c) The maintenance and enhancement of amenity values and f) Maintenance and enhancement of the quality of the environment - The height limit along with the underlying zone provisions will enable a connected and high quality urban environment to be achieved.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi. The relationship of mana whenua and the TMA with the maunga, including Ōwairaka, is particularly acknowledged in this regard. Based on consultation to date and the assessment in section 9 of this report, it is considered that this proposal will not offend against the principles of the Treaty of Waitangi.

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

10.2 APPROPRIATENESS OF THE PROVISIONS TO ACHIEVE THE OBJECTIVES

10.2.1 The Objectives

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

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

As the proposed Plan Change is amending the AUP, the above assessment must relate to the provisions and objectives of the proposed Plan Change, and the objectives of the AUP to the extent that they are relevant to the proposed Plan Change and would remain if the Plan Change were to take effect⁶.

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

Within the RPS:

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

⁶ RMA s32(3)

Within the Business Zones -

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

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

- Theme 1: Maximum height
- Theme 2: Spatial extent of Plan Change area

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

10.3 OTHER REASONABLY PRACTICABLE OPTIONS FOR ACHIEVING THE OBJECTIVES

A wide range of options has been considered. These relate to the purpose of the plan change to amend the height variation control to increase the development capacity of this land resource. The zoning of the land, both within the Plan Change area and the wider zoning within the Mount Albert town centre, principally relates to land uses rather than the scale of built development provided for. In this regard, the matter of zoning is not considered to be relevant to the objective of the plan change, which is to increase development potential, and detailed consideration has been given to the following reasonably practicable options under the two themes identified above.

10.3.1 Theme 1: Maximum Height

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

- B2.2.1(1) A quality compact urban form that enables all of the following: (a) a higher-quality urban environment; (b) greater productivity and urban growth; (c) better use of existing infrastructure and efficient provision of infrastructure; (d) improved and more effective public transport; (e) greater social and cultural vitality; and (g) reduced adverse environmental effects.
- B2.3.1(1) A quality built environment where subdivision, use and development do all of the following: (a) respond to the intrinsic qualities and physical

characteristics of the site and area, including its setting; (b) reinforce the hierarchy of centres and corridors; (c) contribute to a diverse mix of choice and opportunity for people and communities; (d) maximise resource and infrastructure efficiency; (e) are capable of adapting to changing needs; and (f) respond and adapt to the effects of climate change.

- B2.4.1(1) Residential intensification supports a quality compact urban form.
- B2.4.1(3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.
- B4.3.1(1) Significant public views to and between Auckland's maunga are protected from inappropriate subdivision, use and development.
- H10.2(6) Town centres are the focus of commercial, community and civic activities for the surrounding area and which provide for residential intensification.
- H10.2(7) The scale and intensity of development in town centres is increased while ensuring development is in keeping with the planning and design outcomes identified in this Plan for the relevant centre.
- H13.2(6) Moderate to high intensity residential activities and employment opportunities are provided for, in areas in close proximity to, or which can support the City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and the public transport network.

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

- Option 1 - Status quo (Business - Mixed Use Zone and Business – Town Centre Zone with a 18m Height Variation Control)
- Option 2 – Align the Height Variation Control with the Volcanic Viewshaft Overlay
- Option 3 - Plan Change (Apply a 24m Height Variation Control across the Plan Change area)

Consideration has also been given to a context responsive approach rather than a single height across the plan change area. However, this is not considered reasonably practicable as it is contrary to the approach taken to variation of height in centres throughout Auckland in the AUP (OP), which involves the application of a uniform height control to a whole centre/full block rather than spot height controls at a site-by-site level within a block.

10.3.1.1 Evaluation of Other Reasonably Practicable Options

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

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

Benefits	Costs	Efficiency and Effectiveness
Option 1: Status quo (Business - Mixed Use Zone and Business – Town Centre Zone with a 16m Height Variation Control)		
<p>This option retains a 18m height limit, which would avoid any potential adverse effects which may be generated from increased height. However, landscape and visual analysis undertaken as part of this plan change application demonstrates that the increased height will not result in adverse visual, dominance or landscape effects.</p> <p>Cultural benefits as the existing height limit sits below the Volcanic Viewshaft that covers the Plan Change area.</p>	<p>This option will result in social costs as it does not enable greater residential and employment capacity in a highly accessible location.</p> <p>This option will not result in efficient use of centre land and land adjoining a train station.</p> <p>This option will not result in the opportunity to create a visual ‘marker’ of the Carrington/Mt Albert/New North Roads intersection and train station through providing for a taller building on the corner site.</p>	<p>Inefficient option as this option does not promote the most efficient use of the Plan Change area and is not in keeping with Objectives B2.2.1(1)(c), B2.2.1(1)(d), B2.4.1(3) which seek to utilise existing infrastructure efficiently and intensify areas of the city that are within close proximity to centres and public transport.</p>
Option 2: Align the Height Variation Control with Volcanic Viewshaft Overlay		
<p>Cultural benefits as the height limit would align with the Volcanic Viewshaft that covers the Plan Change area.</p> <p>The height limit would have social benefits as it would increase the development potential, contributing to a potential increase in housing supply or business floor area within a highly accessible location.</p>	<p>This option will result in a confusing planning regime and associated economic costs as the Height Variation Control will differ across the Plan Change area to essentially duplicate the viewshaft height contours. The established approach within the AUP is to apply an appropriate zone and height framework to the land and for the viewshaft to be assessed largely independently of this. This is the case in other centres including Newmarket Metropolitan Centre.</p>	<p>This option is more effective at achieving Objectives B2.2.1(1)(c), B2.2.1(1)(d), B2.4.1(3) than Option 1 as it provides for height limits that will more efficiently utilise existing infrastructure and intensify areas of the city that are within close proximity to centres and public transport. The planning framework however is inefficient as it is confusing and inconsistent with the general approach within the AUP for providing for height within centres under the volcanic viewshaft.</p>

Option 3 - Plan Change (Apply a 24m Height Variation Control across the Plan Change area)		
<p>The Landscape and Visual Effects assessment has shown that while the increased height will be visible it does not appear out of character. It will reinforce the nature of the town centre and train station relative to its more suburban residential surrounds.</p>	<p>This option introduces a height limit that is greater than the community's current expectations for height in this area. However, technical analysis undertaken as part of this plan change application has confirmed the increase in height will result in adverse environmental effects that are appropriate to its circumstances.</p>	<p>This option promotes the most efficient use of the Plan Change area and therefore is in keeping with Objective B2.2.1(1)(c), B2.2.1(1)(d), B2.4.1(3) which seek to utilise existing infrastructure efficiently and intensify areas of the city that are within close proximity to centres and public transport.</p>
<p>The Urban Design assessment in support of this Plan Change application demonstrates that the Plan Change area is adequately separated from surrounding residential areas to satisfactorily manage any potential increase in privacy and dominance effects.</p>		<p>This option will efficiently and effectively achieve H10.2(6) as the proposed 24m height limit is already anticipated within the AUP height framework for town centres. This Plan Change addresses a particular portion of land in the town centre and presents an opportunity to take a more finer grain approach for providing for height within Mount Albert.</p>
<p>The height limit will have social benefits as it will increase the development potential contributing to a potential increase in housing supply within a highly accessible location.</p>		
<p>Cultural values will continue to be protected as the proposed height limit will not override the Volcanic Viewshaft that covers the Plan Change area and therefore views to Mount Albert.</p>		
<p>The Urban Design assessment shows that the Plan Change offers the opportunity to create a higher 'marker' building at the corner of Carrington/Mt Albert and</p>		

New North Road and beside the train station.		
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10.3.1.2 Summary of Reasons for Deciding on the Provisions

Option 3 is preferred. Applying a 24m Height Variation Control across the Plan Change area, is the most appropriate mechanism for achieving the objectives of the AUP for the following reasons:

- This option promotes the most efficient use of the Plan Change area through increasing the development capacity of centre land that is highly accessible to public transport and therefore is in keeping with Objective B2.2.1(1)(c), B2.2.1(1)(d) and B2.4.1(3).
- The 24m height limit is already anticipated for Town Centres and Mixed Use zoned land elsewhere and therefore this option will efficiently and effectively achieve H10.2(6) having regard to the particular characteristics of the land subject to the Plan Change.
- This option provides a planning framework which is consistent with the approach for providing for height under the volcanic viewshaft within the AUP.

10.3.2 Theme 2: Spatial Extent of Plan Change Area

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

- B2.2.1 (1) A quality compact urban form that enables all of the following: (a) a higher-quality urban environment; (b) greater productivity and urban growth; (c) better use of existing infrastructure and efficient provision of infrastructure; (d) improved and more effective public transport; (e) greater social and cultural vitality; and (g) reduced adverse environmental effects.
- B2.3.1 (1) A quality built environment where subdivision, use and development do all of the following: (a) respond to the intrinsic qualities and physical characteristics of the site and area, including its setting; (b) reinforce the hierarchy of centres and corridors; (c) contribute to a diverse mix of choice and opportunity for people and communities; (d) maximise resource and infrastructure efficiency; (e) are capable of adapting to changing needs; and (f) respond and adapt to the effects of climate change.
- B2.3.1(2) Innovative design to address environmental effects is encouraged.
- B2.3.1(3) The health and safety of people and communities are promoted.

- B2.4.1 (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.
- H10.2(6) Town centres are the focus of commercial, community and civic activities for the surrounding area and which provide for residential intensification.
- H10.2(7) The scale and intensity of development in town centres is increased while ensuring development is in keeping with the planning and design outcomes identified in this Plan for the relevant centre.
- H13.2(6) Moderate to high intensity residential activities and employment opportunities are provided for, in areas in close proximity to, or which can support the City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and the public transport network.

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

- Option 1 – Apply 24m Height Variation Control to all of the land zoned Business -Town Centre.
- Option 2 - Apply 24m Height Variation Control to all of the land zoned Business -Town Centre and the Business-Mixed Use on the eastern side of New North Road.
- Option 3 – (Plan Change) Apply 24m Height Variation Control to the Plan Change area.

10.3.2.1 Evaluation of Other Reasonably Practicable Options

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

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

Benefits	Costs	Efficiency and Effectiveness
Option 1: Apply 24m Height Variation Control to all of the land zoned Business -Town Centre		
This option would focus the additional height allowance into the Mount Albert land zoned Business-Town Centre to ensure the town centre is the focal point for intensification within the area.	The areas of the Mount Albert town centre which would be excluded from the Plan Change area under this option share boundaries with residential zoned land. Greater height within these localities could result in greater adverse effects on residential amenity.	This option is not as effective at achieving B2.3.1 (1), B2.3.1 (2) and B2.3.1 (3) as the spatial extent of the increased height limits do not respond to the surrounding residential

<p>This option will result in increased density of development within a very short (maximum 300m) walk of Mt Albert train station.</p> <p>The Town Centre-zoned sites to the north of Carrington Road / Mt Albert Road are clear of the A13 Viewshaft and are not subject to other restrictions, such as scheduled buildings.</p>	<p>The Plan Change area is largely in single ownership and can be developed in an integrated and comprehensive way. The rest of the town centre is in more fragmented ownership and therefore less likely to be redeveloped.</p> <p>Effects of increased height to adjoining THAB zoned sites could be adequately managed by the Town Centre zone's 8m + 60 degree height in relation to boundary standard, however there would be a heightened adverse effect on the existing low-scale residential environment of THAB sites.</p> <p>Town Centre zoned sites south of Carrington Road / Mt Albert Road on the eastern side of New North Road are largely under the A13 Viewshaft. This passes over at heights of down to 19.5m, marginally above the operative Height Variation control of 18m. This reduces the utility of amending the Control on these sites.</p>	<p>context or the need to provide a greater buffer of the railway lines to improve the amenity of the retail area.</p>
<p>Option 2: Apply 24m Height Variation Control to all of the land zoned Business -Town Centre and the Mixed Use zoned land on the eastern side of New North Road</p>		
<p>Increased density of additional sites within a short (maximum 600m) walk of Mt Albert train station.</p> <p>The Town Centre-zoned sites to the north of Carrington Road / Mt Albert Road are clear of the A13 Viewshaft and are not subject to other restrictions, such as scheduled buildings.</p>	<p>Additional height on the Mixed Use zone sites on the eastern side of New North Road could erode an awareness of the underlying landform's gradual slope up the curtilage of Owairaka.</p> <p>The Mixed Use zoned sites adjoin Mixed Housing Urban zoned sites to the east, which have a maximum 11m (plus 1m for a sloping roof) permitted height. This is significantly lower than the 24m proposed by the Plan Change. Applying a 24m height to these Mixed Use zoned sites could erode a sense of graduated height transition in the wider area.</p>	<p>This option is not as effective at achieving B2.3.1 (1), B2.3.1 (2) and B2.3.1 (3) as the spatial extent of the increased height limits do not respond to the surrounding residential context or the need to retain awareness of the landform's gradual slope up the curtilage of Ōwairaka.</p>

Option 3: Plan Change (Apply 24m Height Variation Control to Plan Change area)		
<p>The Plan Change area is largely in single ownership which will enable integrated and comprehensive development which can take advantage of the additional height.</p> <p>As the Plan Change area directly adjoins the railway line the increased height limit will provide a greater buffer between the railway lines and the retail strip and residential environment to the east.</p> <p>Retaining the 18m height limit on town centre sites excluded from the Plan Change area will enable transition in height, with lower buildings adjoining the residential properties.</p>	<p>This option will extend the additional height allowance beyond the Mount Albert Town Centre-zoned land to the Mixed Use-zoned land to the south and therefore may be considered to be shifting the intensity of development out of the centre and closer to residential areas towards the south.</p>	<p>This option is most effective at achieving B2.3.1 (1), B2.3.1 (2) and B2.3.1 (3) as the height limits have been designed to respond to the Town Centre context and maximise amenity within the retail area along New North Road and to the residentially zoned properties that surround the centre.</p>

10.3.2.2 Summary of Reasons for Deciding on the Provisions

Option 3 is preferred. The application of the 24m Height Variation Control to the Plan Change area included as part of this application, is the most appropriate mechanism for achieving the objectives of the AUP for the following reasons:

- This option responds to the opportunity presented by the lot size and largely single ownership of the subject land and the surrounding land uses and built context.
- As a result of road and railway buffers and AUP (OP) provisions, it will provide a height framework that will maintain amenity for surrounding residential land uses and of the retail area and therefore is most in keeping within the quality built environment objectives within B2.3.1.

10.4 RISK OF ACTING OR NOT ACTING

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

11.0 CONCLUSION

This report has been prepared in support of Tram Lease Ltd's request for a Plan Change to the provisions of the AUP (OP) to enable greater height at 911-975 New North Road, Mount Albert.

The request has been made in accordance with the provisions of Schedule 1; Section 32 of the RMA.

Based on an assessment of environmental effects, as supported by specialist analysis, it is concluded that the proposed Plan Change will have positive effects on the environment in terms of the social and economic well-being of the community. Potential adverse effects are able to be managed through the application of the AUP (OP) zone and Auckland-wide provisions.

An evaluation in terms the provisions of section 32 of the RMA is provided in section 10 of this report. This includes an analysis of the extent to which the objectives of the plan change are the most appropriate to achieve the purpose of the RMA and an examination of whether the provisions of the plan change are the most appropriate way to achieve the objectives.

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

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