



PRIVATE PLAN CHANGE REQUEST

953 NEW NORTH ROAD
MT ALBERT

SECTION 32 ASSESSMENT REPORT

PREPARED FOR:
TRAM LEASE LIMITED

14-May-2021

B&A
Urban & Environmental

CONTENTS

1.0	THE APPLICANT AND PROPERTY DETAILS	1
2.0	EXECUTIVE SUMMARY	2
3.0	INTRODUCTION	3
3.1	The Applicant	3
3.2	Background	3
3.3	Accepting the Plan Change Request (Clause 25).....	5
4.0	SITE LOCATION AND DESCRIPTION	6
4.1	Site Description	6
4.2	Surrounding Area / Local Context	8
5.0	DESCRIPTION OF THE PLAN CHANGE REQUEST	9
5.1	Description of the Proposal.....	9
5.2	Purpose and Reasons for the Plan Change	10
6.0	POLICY FRAMEWORK	11
6.1	National policy documents	11
6.2	Council strategic plans	12
7.0	REGIONAL POLICY STATEMENT AND PLANS	13
7.1	Auckland Unitary Plan (Operative in Part)	13
7.2	Other Plans.....	14
8.0	CONSULTATION	15
9.0	ASSESSMENT OF ENVIRONMENTAL EFFECTS.....	15
9.1	Quality Built Environment.....	16
9.2	Economic Effects	17
9.3	Transport.....	18
9.4	Open Space and Community Facilities.....	18
9.5	Servicing	19
9.6	Summary of Effects	19
10.0	SECTION 32 ANALYSIS	19
10.1	Appropriateness of the Proposal to Achieve the Purpose of the Act	19
10.2	Appropriateness of the Provisions to Achieve the Objectives.....	21
10.3	Other Reasonably Practicable Options for Achieving the Objectives	23
10.4	Risk of Acting or Not Acting	28
11.0	CONCLUSION	28

APPENDICES:

Appendix 1: 953 New North Road Plan Change

Appendix 2: Certificates of Title and Restrictions

Appendix 3: Auckland Unitary Plan Objectives and Policies Assessment Table

Appendix 4: Economic Assessment (Property Economics)

1.0 THE APPLICANT AND PROPERTY DETAILS

To:	Auckland Council
Site Address:	953 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 Record of Title as Appendix 2
Site Area:	2,387m ²
AUP Zoning:	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 – General Commercial Frontage; Macroinvertebrate Community Index - Urban
Additional Limitations:	Overland flow paths and flood plain, New North Road is an arterial route – Vehicle Access Restriction (VAR) applies.
Locality Diagram:	Refer to Figure 2
Brief Description of Proposal:	Private Plan Change request to re-zone the property at 953 New North Road from Business – Town Centre to Business – Mixed Use zone and remove the Building Frontage Control – General Commercial Frontage.

2.0 EXECUTIVE SUMMARY

Tram Lease Ltd (the Applicant) is applying to Auckland Council for a Plan Change to the Auckland Unitary Plan – Operative in Part (AUP (OP)) to re-zone the property at 953 New North Road in Mount Albert (the Site, or Plan Change area) from Business – Town Centre to Business – Mixed Use zoning and remove the Building Frontage Control – General Commercial Frontage.

The Plan Change area is contiguous with existing Business – Mixed Use zoned land. It is market attractive for residential development given its location being within the Mount Albert town centre, within walking distance of the Mount Albert train station, adjoining New North Road which is well serviced by a regular bus network, and can be serviced by existing infrastructure, open space and social facilities.

The proposed re-zoning will enable a different range of activities to be undertaken on the Site than those provided for under the current Town Centre zoning. In particular, the proposal will enable residential activities to be established at ground floor providing for more intensive residential redevelopment of this property. It is expected that this will in turn increase demand for the convenience and food and beverage activities within the Mount Albert centre, reinforcing the role of the Town Centre Zoned land within the immediate vicinity.

The AUP (OP) Town Centre zone provisions do not enable residential activities to be established as of right at ground floor, effectively requiring a mixed-use development. The plan change will enable future redevelopment to be exclusively residential, which will enable a focus on provision of residential amenity through, for example, provision of at-grade gardens, an entry foyer and ground level apartments which can benefit from those amenities while achieving a reasonable level of street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality. Furthermore, the proximity to Town Centre zone ensures convenience for residents.

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 enable intensification of housing particularly along rapid transit networks. As outlined above, 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 Business – Mixed Use zone and Auckland-wide provisions of the AUP (OP) will ensure that future development of the Site will achieve the higher-level objectives and policies of the Regional Policy Statement. A comprehensive economic assessment has been undertaken by Mr Tim Heath of Property Economics for the Plan Change application which confirms that there is more than sufficient capacity in the balance of the Town Centre zoned land within the Mount Albert town centre to accommodate the future anticipated demand for office and retail activity.

In our opinion, the proposed rezoning of the Plan Change area to Business – Mixed Use and removal of the Building Frontage Control – General Commercial Frontage:

- Is the most appropriate way to achieve the purpose of the RMA and the proposal would give effect to the Regional Policy Statement (s32)(1)(a));
- Gives effect to the relevant National Policy Statements and the Regional Policy Statement (s75);
- Is appropriate given that the actual and potential effects of the rezoning and associated rules on the environment would be acceptable and any adverse effects would be less than minor (s76(3)); and
- Supports the integrated management of the use and development of land (s31).

3.0 INTRODUCTION

3.1 THE APPLICANT

Tram Lease Ltd is one of New Zealand’s largest privately held property investment groups with a property portfolio spanning some 21 hectares located predominantly in Auckland on key transport routes. Tram Lease Ltd has 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 along key transport routes and transport nodes, and are 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.

3.2 BACKGROUND

The Site is one of several properties owned by the Applicant within the Mount Albert town centre (refer to ownership map Figure 1 below). The land was previously zoned Mixed Use under the legacy Isthmus District Plan – 1999 but was zoned Business – Town Centre under the AUP (OP).



Figure 1: Applicant's landholding in Mount Albert town centre

Mount Albert town centre currently contains a mixture of commercial buildings with a variety of commercial, services and retail uses. Buildings within the older core of Mount Albert town centre largely date from the early to mid-twentieth century and are located on smaller lots. The western end of the town centre on the northern side of New North Road is characterised by larger lot sizes, occupied by principally utilitarian buildings housing retail and commercial complexes surrounded by at grade parking areas.

The Applicant has actively been pursuing redevelopment options in the Mount Albert town centre in line with the outcomes sought under the AUP (OP). As part of this exercise, an opportunity to enable more efficient and effective quality development through increasing the permitted height limit on the northern side of New North Road was identified. By increasing the height limit an extra one-to-two storeys could be achieved without conflicting with the viewshafts to Owairaka / Mount Albert across the centre enabling a more efficient use of this land resource. In response, the Applicant has therefore applied for a Private Plan Change request increase the Height Variation Control (HVC) as it applies to the land at 911-953 New North Road from 18m to 24m and to apply a 24m HVC to 955-975 New North Road. That plan change is referred to hereafter as the 'Height Plan Change'.

The Height Plan Change was accepted by Auckland Council on 23 February 2021. That Plan Change has not been notified at the time of lodgement of this request. It is expected that the increased height limits will improve the feasibility of redevelopment in the Mount Albert town centre which will in turn attract developers and stimulate redevelopment in the wider Mount Albert town centre.

The Applicant's landholdings in Mount Albert are held in leasehold arrangements with a range of terms. The property at 953 New North Road is subject to short-term premises leases, with each lease having a six-month termination clause for redevelopment in favour of the Applicant (Tram Lease) allowing flexibility on timing for redevelopment. Furthermore, the size of this property presents an opportunity for a larger scale development. As a result of continuing efforts at finding a party to proceed with development in the Mount Albert landholding the Applicant has found that the property at 953 New North Road is the optimal property to be developed, however, the Business – Town Centre zoning is proving to be a barrier to redevelopment due to the extent to which residential development at ground floor is discouraged by the standards and policies.

The Applicant therefore seeks to rezone the property at 953 New North Road, Mount Albert from Business – Town Centre to Business – Mixed Use. Tram Lease Ltd envisages that the Plan Change will enable a residential-led development of this property and act as a catalyst for the redevelopment of the wider Mount Albert town centre. Furthermore, the Plan Change will enable increased housing provision and choice in this area which will be a more efficient use of a land resource located in the Mount Albert town centre, in close proximity to the Mount Albert train station.

3.3 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 supported by planning and economic analysis that 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 increasing housing provision in existing urban town centres and areas serviced by public transport to achieve a quality compact urban form. The Plan Change will enable quality residential 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

Described as Lot 4 Deposited Plan 77409, the Plan Change area is 2,387m² in area and is located on the northern side of New North Road in Mount Albert town centre. The Plan Change includes the property at 953 New North Road only which is bounded by the railway line to the north-west and New North Road to the south-east. To the east is Business – Town Centre zoned land which is currently occupied by a retail complex and associated at grade parking area, and to the west is Business – Mixed Use zoned land which is also occupied by a retail complex and associated at grade parking area.

As outlined above, the Applicant owns the Plan Change area as well as a number of other properties on the northern side of New North Road in the Mount Albert town centre. A locality plan of the Plan Change area is included as Figure 2 below.

¹S32 of the RMA

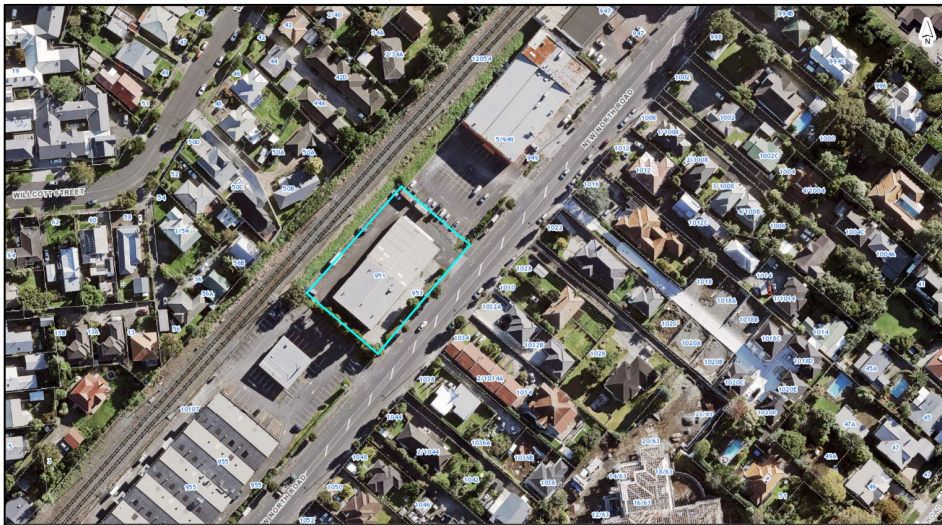


Figure 2: Aerial map showing the location of the Plan Change area shown in blue (Source: Auckland Council Geomaps)

The Plan Change area is located within the Business – Town Centre zone, however the south-western boundary is contiguous with the Business – Mixed use zone refer Figure 3 below.

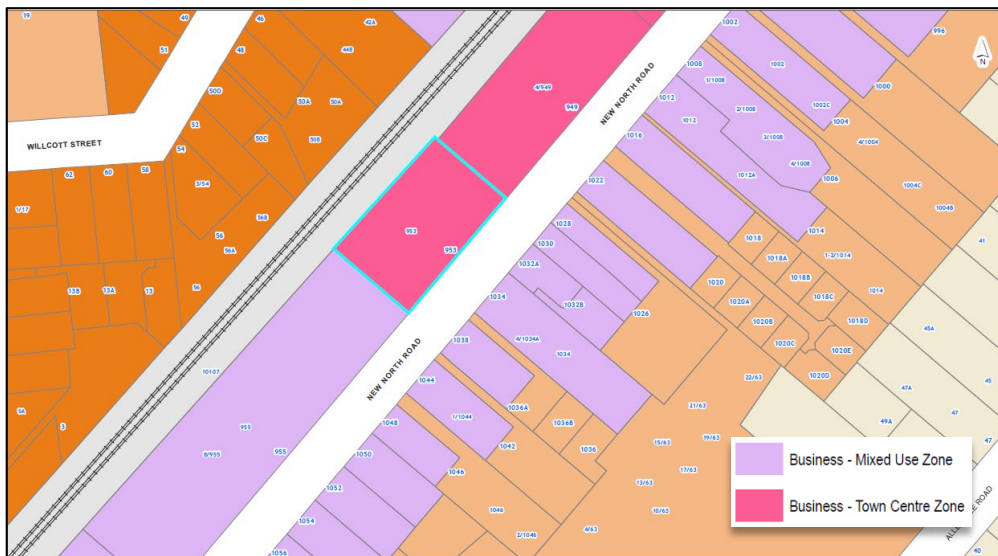


Figure 3: AUP zoning with the site outlined in blue (Source: Auckland Council Geomaps)

A Height Variation Control applies to the Site allowing the development of buildings up to 18m in height. The height limit of buildings within the adjoining Business - Mixed Use zone is 18m. As discussed above, a request for a Private Plan Change to increase the Height Variation Control (HVC) as it applies to the land at 911-953 New North Road from 18m to 24m and to apply a 24m HVC to 955-975 New North Road has been accepted by Auckland Council. That Plan Change is currently on hold, at the Applicant's request, pending advancement of this application.

A Regionally Significant Volcanic Viewshaft and Height Sensitive Area Overlay – A13 Mount Albert Viewshaft – passes over the majority of the site. The Viewshaft has a height above the Site of generally 26m at the southern end increasing to 27.5m at the Site’s northern end.

A Building Frontage control (General Commercial Frontage) applies to the New North Road frontage. This control requires adjoining buildings to activate the street and be built along the length of their road frontage.² The land is also subject to a sensitive aquifer management area overlay.

Overall, the topography of the Plan Change area is relatively flat, falling gently from the southern end to the northern end with a difference of approximately 1.5m across the Site.

There are no known heritage items/places, significant indigenous habitat or vegetation within the Plan Change area.

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

A commercial building is located in the centre of the Site which is occupied by a variety of commercial and retail leases. The balance of the land is occupied by parking and manoeuvring areas.

4.2 SURROUNDING AREA / LOCAL CONTEXT

The Mount Albert town centre is centred around the New North Road and Carrington Road intersection. 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. From there, it transitions to Terrace Housing and Apartment Building (THAB) zoning, through to Mixed Housing Urban, Mixed Housing Suburban and Single House zoning. The Plan change area comprises Town Centre zoned land only.

To the north of the Mount Albert town centre, are large older residential dwellings many of which are zoned Terrace Housing and Apartment Building (THAB). 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

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

to the large character homes which line the residential streets that surround Ōwairaka / Mount Albert.

There is an at grade carpark at 915-919 New North Road (which is less than 500m from the Site) 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.

To the north of the Plan Change area is the railway line. Immediately beyond the railway line is a residential area consisting of terrace housing and single dwellings. This area is zoned Business – Mixed Use along the railway line and THAB along Willcott Street under the AUP (OP).

Similarly, on the southern side of New North Road, opposite the Site, is larger standalone dwellings on larger sections. This land has also been zoned Business – Mixed Use with Residential – Mixed Housing Urban zoned land beyond.

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 is an arterial road and is 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 bus 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 / Ōwairaka 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:

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

- Apply Business – Mixed Use zone to the property 953 New North Road; and
- Remove the Building Frontage Control – General Commercial Frontage.

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

The proposed zoning would allow for higher density residential living (by enabling residential activities to be established at ground floor), subject to a future resource consent process for the building, and would provide urban living that increases housing capacity and choice in a location that is accessible to public transport.

All relevant Auckland-wide and zone rules would apply to future development within the Plan Change area, and no site-specific controls or overlays are considered necessary. A spatial framework for development exists and the Auckland wide and zone provisions can be relied upon to achieve a quality built environment. Reliance on these provisions also enables the Plan Change area to develop to a scale and intensity which is consistent with areas of similar zoning patterns across the region.

In summary, the Plan Change will allow future buildings within the Plan Change area to enable a different range of activities to be undertaken on the Site than those currently provided for under the Business – Town Centre zoning, the Business – Mixed Use zoning has been determined to be more favourable to current market demand for land for residential development and the rezoning will therefore enable a more efficient and effective use of this land resource.

5.1.1 Spatial Extent of the Plan Change Area

The spatial extent of the Plan Change area has been applied to the property at 953 New North Road only. This land has a regular shape and is of a sufficient size suitable for intensive residential development. The Site is contiguous with the Business – Mixed Use zone to the south-west which is held in common ownership by the Applicant.

Whilst the applicant owns a number of other properties in the Mount Albert town centre these are more central to the town centre and are better suited to retail/commercial development. Furthermore, those properties are separated from the Applicant's landholdings by 949 New North Road which is not owned by the applicant.

5.2 PURPOSE AND REASONS FOR THE PLAN CHANGE

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

The purpose of the Plan Change, or the objective of the Plan Change in terms of the RMA, is to apply a Business – Mixed Use zoning to the 2,387m² site to optimise the

efficient use of the existing urban area while also enhancing the quality of life for individuals and communities.

The background to this Plan Change is that the Applicant, who owns the Site, has obtained market feedback from prospective developers to carry out a comprehensive redevelopment of the Site in a manner consistent with the proposed zoning framework. It is clear that the current Town Centre zone imposes requirements regarding ground floor activities which will compromise their ability to carry out a residential development of the form and quality intended.

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. A supporting economic expert assessment report is appended to this report. The evaluation of the Plan Change concludes that the 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 AUP (OP) Business - Mixed Use provisions to the Site, 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. The Plan Change enables more intensive residential redevelopment of this Site providing for an increase in housing supply in close proximity to an existing rapid transit network. The Plan Change area is located within walking distance of the

Mount Albert train station (5-minute walk) 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 Mount Albert is also serviced by the bus services linking Point Chevalier and Sylvia Park 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 residential development capacity therefore ensuring the efficient use of this highly accessible land and promoting development that encourages the use of public transport.

The Plan Change will support good urban outcomes as the proposed rezoning and associated rules is likely to have positive effects on the quality of the built environment, and development within the Plan Change area will integrate well with the wider Mount Albert area. As outlined in Section 9 the Plan Change will not adversely affect the environment as any effects can be appropriately mitigated.

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.*

⁴ Auckland Plan 2050, pg. 206.

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 residential development capacity on the Site, maximising the efficient use of highly accessible centre land in the Auckland Isthmus area.

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.

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. In particular, the proposed

zoning will enable more intensive residential development of the Site whilst a sufficient amount of Town Centre zoned land will remain to accommodate growth of supporting commercial and social activities.

The Plan Change area is 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 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 suite of provisions in the respective zones that would apply to any redevelopment of the site both ensure a quality built environment, the redevelopment of this Site enabled by the Plan Change (for the reasons set out in section 3.2) 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 Mixed Use zone.

Summary

The Plan Change is considered 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 pathways 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 further increase transport modes to better connect the plan change area to the wider Albert-Eden area.

8.0 CONSULTATION

Comprehensive consultation about the Height Plan Change was undertaken in 2020. While this plan change relates to rezoning of 953 New North Road, it should be seen in the context of that consultation, which identified widely the intended transformation of the subject block.

In particular relation to the 953 New North Road re-zoning proposal, a workshop to discuss the Height Plan Change was held with the Albert/Eden Local Board on 11 August 2020. Formal minutes were not issued however at that meeting, the potential rezoning of 953 New North Road was also discussed and no concerns were raised. Moreover, members of the Board voiced their desire for redevelopment of and investment in the Mount Albert town centre, which this Plan Change seeks to enable. Board members were also keen to see an increase in housing provision and choice in the Mount Albert area.

Council controlled organisations (CCOs) have not been consulted with regards to the proposed rezoning, as transportation and infrastructure servicing effects associated with the redevelopment of the Site would not be affected by the re-zoning and would be assessed through future resource consent processes. The activities provided for under the Mixed Use zoning are not widely dissimilar to those provided for under the Town Centre zoning. The same bulk and location controls in the Mixed Use and Town Centre zones, the effects on demand for services and on the public transport network arising from the proposed rezoning will therefore be negligible.

Similarly, given the Plan Change request is limited to rezoning only and no change to the AUP (OP) provisions is proposed, consultation with mana whenua is not considered necessary at this stage, rather iwi consultation would be carried out at resource consent stage, to the extent that consultation is required under the AUP (OP) provisions.

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 may have on the environment. This assessment includes analysis and reporting undertaken by an economic expert, which is attached as an appendix to this report.

9.1 QUALITY BUILT ENVIRONMENT

In assessing the actual and potential effects of the proposed rezoning on the quality of the built environment, we make the following comments:

- **Quality of the built environment:** The Mixed Use zone provisions will effectively manage building height and scale to integrate future development in a positive manner to the surrounding environment. The Mixed Use zone policies, matters for discretion and assessment criteria will achieve high quality built form outcomes.
- **Responding to intrinsic qualities:** The Plan Change area is occupied by a utilitarian retail/commercial complex with at grade parking around the perimeter. The existing buildings are not protected (by way of heritage or special character status) nor are there any protected buildings within the wider Mount Albert town centre. Whilst collectively the existing buildings on the Site and in the wider town centre contribute to the existing character, the character of this area is expected to change over time in line with the outcomes sought under the AUP (OP). New North Road is lined with mature and juvenile street trees (which were planted as part of the recent Mount Albert town centre upgrade works), these trees make a significant contribution to the intrinsic qualities of the area. There are two street trees located immediately adjacent the site, these trees are protected under the AUP (OP)⁵ and would need to be considered as part of the future resource consent processes.
- **Amenity effects on neighbours:** The Mixed Use zoned standards, in particular height, building setback and height in relation to boundary controls will manage visual dominance, shading and privacy effects on adjacent sites. The location of the Plan Change area adjoining the railway line to the north west and New North Road to the south-east further assists in minimising effects on neighbouring properties.
- **Safety of site, street & neighbourhood:** Applying the Mixed Use zone to the Plan Change area would ensure that future development contributes to the safety of the site, street and neighbourhood. This is achieved by requiring resource consent for all new buildings in the Mixed Use zone which would be assessed

⁵ Rules apply with regards to alteration to, works within the protected rootzone and removal of street trees under Chapter E17 of the AUP (OP).

against matters that require development to be of a quality and design that positively address the street and provides for passive surveillance.

For these reasons it is considered that the design-based rules of the Mixed Use zone are the most appropriate means to achieve a quality built environment. In our opinion, the proposed rezoning is likely to have positive effects on the quality of the built environment, and development within the Plan Change area will integrate well with the wider neighbourhood and will give effect to the quality built environment and residential amenity objectives of the RPS (B2.3 and B2.4).

9.2 ECONOMIC EFFECTS

The report by Tim Heath of Property Economics in **Appendix 4** addresses the economic effects of the proposed Plan Change. Economic effects may result from the change to the activities provided for in the Mixed Use zone by comparison with the current Town Centre zoning. There would also be economic effects from the Plan Change facilitating the redevelopment of the site – in a residential-led building – sooner than would be the case under the current zoning (given the deterrent that the Town Centre zone requirement for retail activity currently imposes).

The Property Economics report analyses a range of historical and projected data on relevant economic attributes including population and households, employment, and land uses. It includes an assessment of economic costs and benefits.

Mr Heath considers in detail the potential reduction in retail and office activity on the Site. With regards to ‘loss’ of office floor space, it is noted that residential activities are provided for as a permitted activity (at upper levels) under the current Town Centre zoning, therefore any reduction in office floor space is theoretical as under the current provisions the Site could be developed without any office floor space. Furthermore, some office activity is provided for in the Mixed Use zone (up to 500m² per site). Similarly, the Mixed Use zone provides for retail activities, again with some limitations, the Mixed Use zoning does not therefore preclude a retail component at ground floor. Ultimately, the findings of the Property Economics report concludes that there is more than sufficient capacity within the remaining Town Centre zoned land to accommodate future demand for retail and office space.

The conclusion from the analysis in the Property Economics report is that the rezoning would not come at a short-term or long-term economic cost to the Mt Albert town centre, which would maintain its current and future intended role and function. Potential economic benefits would result from improvements to the economic well-being and social amenity of local residents.

9.3 TRANSPORT

The 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.

Redevelopment of the site is not proposed as part of this application, and no changes are proposed to the AUP (OP) transport chapter.

As outlined above, the activities provided for under the Mixed Use zoning are not widely dissimilar to those provided for under the Town Centre zoning and it is considered that the effects on the demand of the public transport network and surrounding road network arising from the proposed rezoning will therefore be negligible.

All relevant Auckland-wide rules, including the transportation provisions contained in Chapter E27 would continue to apply to future development within the Plan Change area. There are a number of controls within the AUP (OP) to manage the transport-related effects of the redevelopment of the Site. 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. It is considered therefore that the effects on the public transport network would be appropriately addressed through the future resource consent process.

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

There are reticulated services within the immediate area and no known capacity issues. Stormwater and wastewater can be provided to service the Plan Change area and will be confirmed through the consenting stage. As with the transportation effects, it is considered that the effects on the demand for services arising from the proposed rezoning will be negligible.

The Plan Change area is wholly within the 1% AEP floodplain and is subject to overland flows. 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.

It is considered therefore that the effects on infrastructure servicing would be appropriately addressed through the future resource consent process.

9.6 SUMMARY OF EFFECTS

The actual and potential effects of the proposed Plan Change, including adverse effects, have been considered above, including expert analysis of economic effects. On the basis of this assessment, it is considered that the proposed Mixed Use zoning is appropriate for the Site and will result in positive effects on the environment in terms of the social and economic well-being of the community. Further, the Site 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

No site-specific objectives are proposed to apply to the Plan Change, however the objectives as set out in the Mixed Use zone would apply together with the relevant general business zone and Auckland-wide objectives. The relevant objectives of the Mixed Use zone are as follows:

- *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.

- *H13.2(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.*
- *H13.2(8) A mix of compatible residential and non-residential activities is encouraged.*
- *H13.2(9) Business – Mixed Use Zone zoned areas have a high level of amenity.*

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. In particular, the Plan Change proposal will not compromise the A13 Mount Albert Viewshaft, as the Viewshaft will continue to apply over the Site 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 which would be appropriately managed through the resource consent process.

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 Mixed Use zoning that is more attractive for 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 proposed zoning will enable a connected and high-quality urban environment to be achieved that responds to the specific land characteristics of the Plan Change area. The provisions that would apply to future development under the AUP would ensure that a high-quality built environment is achieved.

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

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

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 (OP), the above assessment must relate to the provisions and objectives of the proposed Plan Change, and the objectives of the AUP (OP) 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; 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.

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.

⁶ RMA s32(3)

10.3 OTHER REASONABLY PRACTICABLE OPTIONS FOR ACHIEVING THE OBJECTIVES

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

- Option 1 – Status quo (Business – Town Centre Land)
- Option 2 – Rezone the Plan Change area Business – Mixed Use
- Option 3 – Rezone the Plan Change area Residential – Terraced Housing & Apartment Building (THAB)
- Option 4 – Status quo (Building Frontage Control – General Commercial Frontage)
- Option 5 – Remove the Building Frontage Control – General Commercial Frontage
- Option 6 – Retain the Building Frontage Control – General Commercial Frontage in Part
- Option 7 - Precinct with Alternative Activity Provisions and Standards

10.3.1 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 10.3.1.1.

Table 10.3.1.1: Summary of Options Analysis Addressing S32(2) Matters

Benefits	Costs	Efficiency and Effectiveness
Option 1 – Status quo (Business – Town Centre Land)		
<p>Removes the cost of initiating a plan change.</p> <p>This option would retain existing Town Centre zoned land, however the detailed analysis undertaken as part of this application demonstrates that there is more than sufficient Town Centre zoned land in the balance of Mount Albert town centre to accommodate current and future demand.</p>	<p>The option would result in social costs as the current Town Centre zoning is acting as a barrier to comprehensive residential redevelopment of the Plan Change area.</p> <p>This option does not make the most efficient use of this land resource located in an accessible location, with ability to be serviced with infrastructure.</p>	<p>While this option would allow for residential development it would not achieve this efficiently. This is due to the Town Centre zone standards and policies which discourage residential development at ground floor level.</p> <p>Inefficient option as it 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>

Benefits	Costs	Efficiency and Effectiveness
Option 2 – Rezone the Plan Change area Business – Mixed Use (preferred option)		
<p>The Business – Mixed Use zone is applied to areas located around centres and along corridors served by public transport. It acts as a transition area, in terms of scale and activity between residential and business areas. The zone provides for residential activity as well as predominantly smaller scale commercial activity.</p> <p>A maximum height of 18m is provided for while all new buildings require resource consent to ensure that they are designed to a high standard.</p> <p>The Mixed Use zone is consistent with the zoning of the surrounding area, the Plan Change area being contiguous with Mixed Use zoned land to the south-west.</p> <p>The Mixed Use zone applies a similar set of bulk and location provisions to neighbouring sites allowing future development to integrate well.</p> <p>The effects of development can be effectively managed by the Mixed Use zone amenity controls.</p>	<p>This option would reduce the amount of Town Centre zoned land in the Mount Albert town centre, however the detailed analysis undertaken as part of this application demonstrates that there is more than sufficient Town Centre zoned land in the balance of Mount Albert town centre to accommodate current and future demand.</p> <p>Costs to the applicant in preparing a plan change request.</p>	<p>This option enables more intensive residential development to occur within the Plan Change area, contributing to increasing housing supply and choice in close proximity to public transport (existing and planned), open space, social facilities and amenities, which support a more intensive residential use of the Plan Change area, consistent with objective B2.4.1(3), B2.4.1(4) and H13.2(6) of the RPS.</p> <p>The application of the Mixed Use zone will better achieve a quality built environment that can integrate with the surrounding development and enhances the visual quality of the existing environment, contributes to the safety of the site, street and neighbourhood. Therefore it is consistent with B2.3.1(1).</p>
Option 3 – Rezone the Plan Change area Residential – Terraced Housing & Apartment Building		
<p>The THAB zone provides for the greatest density of residential development of all the residential zones.</p>	<p>Development within this zone is generally restricted in terms of height, bulk and coverage.</p>	<p>Inefficient option as it does not promote the most efficient use of the site and is not in keeping with the higher order policy direction of the RPS that seeks</p>

Benefits	Costs	Efficiency and Effectiveness
<p>The design and assessment criteria would ensure a high-quality built form and onsite amenity is achieved.</p> <p>Residential activities are enabled at ground floor.</p>	<p>This option does therefore not make the most efficient use of land located in close proximity to public transport (existing and planned), open space, social facilities and amenities as the bulk and location controls are more restrictive (a 16m height limit applies in the THAB zone whereas an 18m limit applies under the current Town Centre zoning and the proposed Mixed Use zone).</p> <p>Overall, while this option provides for residential housing with good on-site amenity, it does not provide for the intensity of housing sought under the AUP(OP) when considering the site's proximity to public transport, public open space and a town centre.</p> <p>The application of Residential – Terraced Housing and Apartment Building zone to the Plan change area will result in a 'spot zone' as the subject site is not contiguous with the current THAB zoned land in the Mount Albert area.</p> <p>Costs to the applicant in preparing a plan change request.</p>	<p>to intensify areas of the city that are within close proximity to centres and public transport.</p>
Option 4 – Status Quo (Building Frontage Control – General Commercial Frontage)		
<p>Avoids the cost of initiating a plan change or including this matter in the plan change.</p> <p>Will maintain the policy and rule framework applying to future development that is associated with the control (including limiting new</p>	<p>Retention of the control would reduce design flexibility for future residential development of the site and the provision of access in the most appropriate location.</p>	<p>Retention of the building frontage control results in additional design controls which will unduly constrain the ground floor design and is therefore an inefficient option as it does not promote the most efficient use of the site and is not in keeping with the higher order policy direction of the RPS that seeks to intensify areas of the city that</p>

Benefits	Costs	Efficiency and Effectiveness
vehicle access) for the full site frontage.		are within close proximity to centres and public transport.
Option 5 – Remove the Building Frontage Control – General Commercial Frontage (preferred option)		
<p>Will ensure the provisions applied to the Plan Change Area is consistent with the provisions applying to the adjoining and adjacent Mixed Use zoned land within the Mount Albert town centre.</p> <p>The Business and Mixed Use zone objectives and policies (in particular H13.3(3)) will ensure that any future redevelopment of the Plan Change Area achieves a reasonable level of street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality consistent with the outcomes sought for the zone.</p>	<p>Costs to the applicant in preparing a plan change request.</p>	<p>This option promotes the most efficient use of the Plan Change Area as it will provide for greatest flexibility of design for the ground floor of any future building.</p> <p>This option will efficiently and effectively achieve the objectives of the Mixed Use zone as there is an existing framework for assessing new buildings where building frontage controls do not apply to Mixed Use zoned land.</p> <p>New North Road is an arterial road and as such a vehicle access restriction (VAR) applies to the entire site frontage. As such there is an existing framework within Chapter E27 exercising control over the establishment of new crossings to the Plan Change Area and retention of the building frontage control would unnecessarily duplicate these controls.</p>
Option 6 – Retain the Building Frontage Control – General Commercial Frontage in part		
<p>Will maintain the policy and rule framework applying to future development that is associated with the control (including limiting new vehicle access) for most of the site frontage.</p> <p>This option would achieve a positive outcome in terms of transport effects, as it would direct any future vehicle crossing to a location that will minimise</p>	<p>Costs to the applicant in preparing a plan change request.</p> <p>The inclusion of a building frontage control to a portion of the Plan Change Area would add unnecessary complexity to the AUP (OP).</p>	<p>Applying a building frontage control to part of the Plan Change Area frontage would be confusing and inconsistent with the general approach to the AUP (OP) which generally applies building frontage controls to the entire frontage of a property.</p> <p>As outlined above there is an existing framework within Chapter E27 of the AUP (OP) which controls the establishment of new crossings to the Plan Change Area and</p>

Benefits	Costs	Efficiency and Effectiveness
interruption to the pedestrian environment.		partial retention of the building frontage control would unnecessarily duplicate these controls.
Option 7 – Apply a Precinct including Alternative Provision for Activities and Standards		
<p>Enables provisions to be tailored to the Plan Change Area.</p> <p>Residential activities are enabled at ground floor.</p>	<p>Precincts are typically applied to larger land areas and included where more specific refinements to plan provisions are needed.</p> <p>The inclusion of a new precinct would add unnecessary complexity to the AUP (OP).</p>	<p>This option is more effective at achieving Objectives B2.3.1(1), B2.4.1(3) and B2.4.1(4) than Option 1 as it enables more intensive residential development to occur that will more efficiently utilise existing infrastructure and intensify areas of the city that are within close proximity to the centres and public transport.</p> <p>The planning framework under a Precinct would however be confusing and inconsistent with the general approach to the AUP (OP) which only applies a precinct where more specific refinements to plan provisions are needed whereas rezoning (Option 2) and removing the general frontage control (Option 5) would be a simpler mechanism to achieve the purpose of the Plan Change.</p>

10.3.2 Summary of Reasons for Deciding on the Provisions

Option 2 is preferred. Applying Business – Mixed Use zone, 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 enabling more intensive residential use of this land resource 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 proposed zoning pattern will ensure that sufficient development capacity is provided to support growth in accordance with B2.2.1(3).
- The proposed zoning pattern enables the land to create a quality built environment through effectively integrating with future surrounding development in accordance with B2.3.1(1).

- This option provides a planning framework which is consistent with the approach for providing for height under the volcanic viewshaft within the AUP.

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 10.3.1.1 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 rezone the property at 953 New North Road Business – Mixed Use.

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 economic 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 of 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.

Author

A handwritten signature in black ink that reads "Sfallon." The signature is written in a cursive style with a period at the end.

Shannon Fallon

Senior Planner, Barker & Associates Ltd

Date: 14 May 2021