

Request for Plan Change
Precinct Properties Downtown Limited
Queen Elizabeth Square
Assessment of Environmental Effects &
Section 32 Analysis

Revision History

Date	Issue	Description
01/04/2015	1	Draft for internal review
02/04/2015	2	Draft for client review
		Final for lodgement

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1.0 THE APPLICANT AND PROPERTY DETAILS

Site Address:	Queen Elizabeth Square, Lower Queen Street
Applicant's Name:	Precinct Properties Downtown Limited
Address for Service	Barker & Associates Ltd PO Box 1986 Shortland Street Auckland 1140 Attention: Peter Cooper
Legal Description:	Currently Legal Road
Site Area:	1892m ²
Operative District Plan:	Auckland Council District Plan – Central Area Section 2005
Precinct/Quarter:	Public Open Space 1
Activity Area:	N/A
Special Height Control:	Queen Elizabeth Square Sunlight Admission Control Quay Street Harbour Edge Height Control
Site Intensity:	N/A
Designations/Limitations:	Ref 353 – ‘Wind Tree’ ¹ Overland Flow Path Flood Plain
Road Classification:	Pedestrian Mall
Parking Road Type:	Queen Street is a Type 1 Road
Brief description of proposal:	Plan change to rezone land from Public Open Space to a ‘Pedestrian-Orientated’ activity area, and other consequential changes and to introduce planning controls to inform future development of the site

¹ Item 353 ‘Wind Tree’ has been relocated to Wynyard Quarter

Authors

The image shows two handwritten signatures in black ink. The signature on the left is 'Gerard Thompson' and the signature on the right is 'Peter Cooper'.

Gerard Thompson/Peter Cooper

Principal/Planner, Barker & Associates Ltd

2.0 INTRODUCTION

2.1 BACKGROUND

The land subject to the plan change request (the site) is part of what is commonly known as Queen Elizabeth Square. The site is located on Lower Queen Street in downtown Auckland. It is comprised in a single, rectangular shaped lot with an area of approximately 1892m².

Queen Elizabeth Square was created in the early 1970's following demolition of buildings by the Auckland Harbour Board as part of their redevelopment of the Downtown block. It was designated as open space and transferred to Auckland City Council in exchange for the closure of Little Queen Street.

For most of the late 1970's, the Square functioned primarily as a transitional public space and forecourt entrance to the surrounding buildings. Wide criticism of its unattractive environmental conditions prompted full closure of Lower of Queen Street in 1980 to create a public square between the Downtown Shopping Centre and the Chief Post Office (CPO). The new expanded square featured extensive public seating, trees and fountains.

With the development of the Britomart Transport Centre in 2002, Lower Queen Street became a bus exchange and Queen Elizabeth Square was returned back to its original state. Since that time the Square has generally been regarded as an unsuccessful public space characterised by poorly activated edges, wind, and significant shading during large portions of the day.

Between 2012 and 2013, Auckland Transport began the process of designating the land running underneath the site for the City Rail Link. At approximately the same time Precinct purchased the Downtown Shopping Centre and the HSBC building (in addition to Zurich house which they already owned) to facilitate the comprehensive redevelopment of the block bounded by lower Queen Street, Quay Street, Lower Albert Street and Customs Street West.

The ownership arrangements provided an opportunity for Precinct and Auckland Council to approach the redevelopment of the block in a collaborative manner. Between 2013 and 2014, concept design work undertaken by Auckland Council identified the opportunity to include part of Queen Elizabeth Square in Precinct's wider redevelopment scheme, subject to additional design criteria aimed at improving outcomes in the local area. In return, as part of Precinct's redevelopment of the wider block, provision was made for the construction of the City Rail Link tunnels underneath the site.

In May 2014, the Council's Auckland Development Committee approved in principle the sale of Queen Elizabeth Square to Precinct subject to further investigation being undertaken into open space options for the area. In response to the resolution, Council commissioned Reset Urban Design and Gehl Architects to undertake further evaluation studies of the site and alternative public space options for the downtown area. The evaluations concluded that that Queen Elizabeth Square was a poor quality public open space that did not make any significant contribution to public use and enjoyment of the downtown area. The recommended approach to the issues was to dispose of the part of Queen Elizabeth Square and explore alternative options for open space provision.

In September 2014, the Auckland Development Committee confirmed their agreement to sell this part of Queen Elizabeth Square to Precinct, subject to the outcome of commercial negotiations and the required public processes (including this plan change) and the proceeds of sale being reinvested into the delivery of alternative public open spaces along the waterfront (**Appendix 7**). The Committee resolution also included additional conditions of sale relating to:

- Creation of an publically accessible east-west pedestrian laneway connection between Lower Queen Street and Lower Albert Street
- Creation of a north-south pedestrian link through the block.
- Creation of an active built edge to Lower Albert Street, Lower Queen Street, Quay Street and Customs Street.
- Best practice environmental design.
- Application of Te Aranga Maori Design principles.
- Support of the Auckland Urban Design Panel

Since that time the council and Precinct have entered into a development agreement which includes a requirement for Precinct to build the tunnels under the site required as part of the City Rail Link.

2.2 SITE LOCATION AND DESCRIPTION OF SURROUNDS

The site is comprised of an open space square opening onto the footpath of Lower Queen Street to the east, and bounded by buildings to the north, west and south. The topography of the site is generally flat but has a very gentle slope towards the north east. The surface of this part of the Square is constructed from red and yellow paving bricks, with concrete edging. In the northern part of the Square is an approximately 300m² section of hard landscaped area planted with 17 juvenile kauri trees. The trees are the only vegetation on the site.

A sculpture, 'Te Ahi Kaa Roa' by Nagti Whatua Tamaki occupies the southern part of the Square. The entrance to an underground pedestrian tunnel constructed between the Square and Britomart railway station occupies the south-eastern edge of the Square. A large, free standing glass canopy constructed adjacent Queen Street extends along the length of the eastern side of the Square opposite the Britomart train station entrance. There are also bus shelters and ticket machines present.

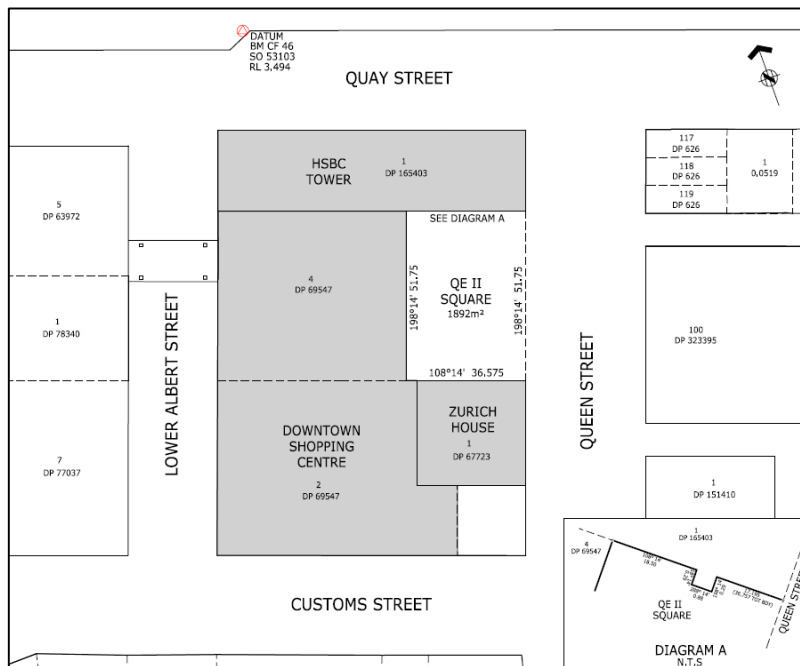


Figure 1: Subject site and Surrounding Environment

The site is bounded on its northern boundary by the HSBC building, a 20-storey commercial office tower with retail activity at the ground level. The eastern half of the northern boundary is another open space area known as the Queen Street Amenity Yard (the amenity yard). A small kiosk is located in the amenity yard that is used as a café.

The western boundary of the site is bounded by the Downtown Shopping Centre, a three-storey retail mall development. The shopping centre has an entrance that opens at approximately the middle of the square.

The southern boundary of the site is bounded by the Zurich building, a 19-storey modern commercial office tower with retail and cafes on the ground floor.

The surrounding environment is intensely built up and used for a variety of activities. To the north, the waterfront area along the Quay Street axis has a maritime character defined by the wharves and port. Built form to the north of the site is relatively

limited enabling good solar access and visual connections to the harbour. The Ferry building is an important land mark heritage building that is located to the north of the site.

To the east of the site, the Britomart precinct is a regenerating area with a heritage-oriented character. The street network in this area forms a traditional grid pattern with a fine grain laneway network. The built form is generally low and medium rise development and includes a number of scheduled buildings. The Chief Post Office building is located to the immediate east of the site, opposite Queen Elizabeth Square. The building is significant both for its heritage status and its role as a major transport interchange in the CBD.

To the south of the site, the Queen Street Valley is the focus of the most intensive retailing activity in the Central Area. The street network in this area forms a semi-regular grid pattern with several smaller side streets coming off the central axis of Queen Street. The sites in this area are generally smaller but more intensely built up with a wide variety of architectural styles.

The block to the west of the site is characterised by modern commercial office developments with a podium and tower style typology. There is a pedestrian bridge that connects the existing Downtown Shopping Centre to the Price Waterhouse Coopers (PWC) commercial building at the first floor.

3.0 DESCRIPTION OF PLAN CHANGE REQUEST

Full details of the proposed amendments to the plan are provided in the draft plan change provisions included as **Appendix 2**. A summary of the proposed changes is provided below:

3.1 PLANNING OVERLAY MAP 1 – PRECINCTS AND QUARTERS

Planning Overlay Maps 1 identifies Precincts and Quarters within the Central Area. Precincts and Quarters are areas that have their own distinct character or function that require specific management provisions.

The site is currently subject to a Public Open Space 1 Precinct, which are open space areas that have specific concept plans to provide for their use and management. The provisions of the Queen Elizabeth Square Concept Plan are set out in section 14.2A.8 of the plan and generally limit use of the site to activities associated with its maintenance and enhancement as an open space.

The proposed changes to Planning Overlay Map 1 involve deleting the 'Queen Elizabeth Square' text and 'Public Open Space 1' precinct from the site. The proposed changes to Overlay Map 1 are consistent with the provisions that currently apply to the surrounding block.

3.2 PLANNING OVERLAY MAP 2 – ACTIVITIES

Planning Overlay Map 2 categorises the types of activities that can be carried out in different parts of the Central Area. Areas are defined as either 'Pedestrian Orientated' or 'Less Pedestrian-Orientated'.

At present there are no provisions on this overlay that apply to the site.

The proposed changes to Planning Overlay Map 2 are therefore to delete the 'Queen Elizabeth Square' text and add 'Pedestrian-Orientated' to the site. The proposed changes to Overlay Map 2 are consistent with the provisions that currently apply to the surrounding block.

3.3 PLANNING OVERLAY MAP 3 – GENERAL HEIGHT CONTROLS

Planning Overlay Map 3 identifies parts of the Central Area that are subject to a general height control of 15m, 35m, or 50m. General height controls are used to provide a transition in height between the core and the periphery of the Central Area.

At present there are no provisions on this overlay that apply to the site.

The proposed changes to Planning Overlay Map 3 are to delete the 'Queen Elizabeth Square' text and add 'Special Height Control Only' to the site (see below). The proposed changes to Overlay Map 1 are consistent with the provisions that currently apply to the surrounding block.

3.4 PLANNING OVERLAY MAP 4 – SPECIAL HEIGHT CONTROLS

Planning Overlay Map 4 identifies height controls that apply to the Central Area that are designed to protect public amenity or significant views to local landmarks.

There are currently two special height controls that apply to different parts of the site:

- Quay Street Harbour Edge Height Control – This control seeks to create a graduated scale of buildings between the harbour edge and the central part of the CBD. To achieve a graduated built form, the control establishes a 45 degree recession plane measured from 40m above the centre line of Quay Street.

Specific provision is made for exceptions to this control where development can maintain natural light and outlook.

- Queen Elizabeth Square Sunlight Admission Control - This control seeks to ensure that development will not create shading effects on a specifically identified part of lower Queen Street. The times of the day that sunlight must be provided are identified in Appendix 11 to the Plan.

The proposed changes to Planning Overlay Map 4 are to delete the 'Queen Elizabeth Square' text from the site.

3.5 PLANNING OVERLAY MAP 5 – SITE INTENSITY

Planning Overlay Map 5 identifies the intensity of development that can be achieved on a site. Different parts of the Central Area are provided with a Basic Floor Area Ratio (BFAR) which is the floor area that can be provided without the requirement for bonuses. In many parts of the Central a Maximum Total Floor Area Ratio (MTFAR) is also provided, which is the maximum floor area that can be achieved on a site taking into account the provision of bonus elements.

At present, there are no provisions on this overlay that apply to the site.

The proposed changes to Planning Overlay Map 5 are to delete 'Queen Elizabeth Square' text and add 6:1 BFAR and 13:1 MTFAR to the site. The proposed changes to Overlay Map 5 are consistent with the provisions that currently apply to the surrounding block.

3.6 PLANNING OVERLAY MAP 6 – ADDITIONAL LIMITATIONS

Planning Overlay Map 6 identifies any designations, scheduled items or other additional limitations that may apply to a site.

Overlay Map 6 shows that the site is subject to Notice of Requirement 68 relating to the City Rail Link. The decision on Notice of Requirement 68 was released in April 2014 and is currently under appeal.

The map also shows that the site contains scheduled feature 353, 'Wind Tree'. The 'Wind Tree' sculpture has been relocated to Wynyard Quarter.

The proposed changes to Planning Overlay Map 6 are to delete 'Queen Elizabeth Square' text and delete item 353 from the site. The proposed changes reflect the fact that there are no longer any scheduled features in Queen Elizabeth Square.

3.7 PLANNING OVERLAY MAP 7 – TRANSPORTATION CONTROLS

Planning Overlay Map 7 identifies the roading hierarchy for the Central Area and also any additional transportation controls or special road classifications that may apply.

Overlay Map 7 shows the site as being a 'Pedestrian Mall', which has legal status under the Local Government Act 1974 (LGA) . Section 336 of the LGA states that a council may restrict the driving, riding or parking or any vehicle, or the riding of any animal, on all or any portion of the pedestrian mall whether generally or during particular hours.

The proposed changes to Planning Overlay Map 7 are to delete the 'Queen Elizabeth Square' text and delete 'Pedestrian Mall' from the site.

3.8 AMENDMENTS TO TEXT

In addition to the changes to the planning maps, several further amendments are proposed to the text of the Central Area Plan, specifically:

- Amend Clause 5.6.3.1.d (Additional Assessment Criteria) by inserting a new paragraph 15) regarding the provision of an east-west pedestrian lane and a north-south pedestrian link. Clause 5.6.3.1.d provides the additional assessment criteria for the erection of any new building or external alteration or addition to any existing building requiring restricted discretionary activity consent under Rule 5.5.3. The provision of the lane and pedestrian link are part of the conditions of the sale of the Square as set out in the Auckland Development Committee's September 2014 resolution.
- Amend Clause 6.3 (Admission of Sunlight to Public Places) by adding a new paragraph e) allowing for an exception for a 19m building on the site. Clause 6.3 sets out the provisions of the Queen Elizabeth Square Sunlight Admission Control that is applicable to the site on Planning Overlay Map 4. The proposed amendment to the rule is required to allow the development of an active built edge to Lower Queen Street as required by the Auckland Development Committee's September 2014 resolution. The proposed 19m height limit is consistent with the PAUP frontage requirements for this part of Queen Street.
- Amend Figure 6.13 (Frontages Subject to Verandah Control) by adding a Verandah Control along the site frontage to lower Queen Street. At present the verandah control does not apply to any sites fronting the western side of Lower Queen Street.
- Insert a new Rule 6.9A (Frontage Alignment and Height) and new Figure 6.14A requiring any new building on the site to front onto lower Queen Street and

have a minimum frontage height of 19m. At present there are no frontage requirements for any development of the site. A 19m frontage height is consistent with the PAUP requirements for this part of Lower Queen Street.

- Amend Figure 14.2 (Central Area Open Space Facilities and Locations) to reflect proposed modifications to the Central Area open space network.
- Delete section 14.2A.8 (Concept Plan – Queen Elizabeth Square) in its entirety. Section 14.2A.8 sets out the provisions of the Queen Elizabeth Square Concept Plan that are applicable to the site on Planning Overlay Map 1. The concept plan will cease to be relevant if the site is no longer zoned public open space.

4.0 STRATEGIC FRAMEWORK

4.1 AUCKLAND REGIONAL POLICY STATEMENT

The Auckland Regional Policy Statement (ARPS) sets out the broad regional approach for managing the use, development and protection of the natural and physical resources of the region.

Key features of the strategic direction outlined in section 2.6 of the ARPS include promoting quality, compact urban environments (intensification); and providing for most of the growth to be contained within the existing metropolitan area. The ARPS also notes the importance of locating the more intensive types of employment with good access to the public transport network.

There are a number of Strategic Objectives set out in section 2.6 that are relevant to the plan change, including:

2. *To maintain and enhance the overall quality of the environment of the Auckland Region, within and outside the urban area, including its unique maritime setting, volcanic features, significant landscapes, cultural and natural heritage values, and public open space.*
3. *To achieve a compact well designed more sustainable urban form served by an integrated multimodal (private vehicles, public transport, walking and cycling) transport system.*
12. *To encourage the efficient use of natural and physical resources, including urban land, infrastructure, and energy resources.*
18. *To develop a network of High Density Centres and Intensive Corridors as the focus for the region's urban growth.*

19. *To enable sustainable economic development to occur through Business Activities in appropriate locations throughout the region.*

The plan change relates to centrally located site in downtown Auckland. The proposed provisions will allow for the establishment of a range of employment, retail and service opportunities with excellent access to multiple modes of public transport. As is discussed elsewhere in this report, the public open space that will be lost as part of the redevelopment of this area of Queen Elizabeth Square can be replaced with better quality space in the immediate area.

4.2 AUCKLAND COUNCIL DISTRICT PLAN - CENTRAL AREA SECTION

The Central Area Plan sets out Auckland Council's Resource Management strategy for the Central Area. Part 3 of the District Plan sets out the high-level resource management objectives and policies for the Central Area Plan:

Objective 3.5.1, A Quality Environment, is concerned with the protection and enhancement of built and cultural features, including streetscape character, and with creating an attractive, clean and safe environment. Policies relevant to the plan change include:

- e) By providing for an urban form that encourages the concentration of taller buildings in the core and lower buildings towards the periphery.*
- g) By maintaining and improving the environmental quality of the public realm including the streetscape and the adjoining built environment.*

Objective 3.5.2, An Accessible Centre, is concerned with facilitating access to and throughout the Central Area. Policies relevant to the plan change include:

- c) By providing for safe, attractive, and visible places for people who walk and cycle.*
- e) By encouraging the creation of new street connections that improve the permeability of the Central Area for vehicles, passenger transport, cyclists and pedestrians.*

Objective 3.5.3, An Alive and Exciting People Place, relates to the creation of an appealing and distinctive centre with a variety of attractions. Policies relevant to the plan change include:

- a) By providing convenient access to community activities and facilities.*
- f) By encouraging and facilitating access to the harbour edge.*

Objective 3.5.4, A Place of Opportunities, seeks to promote the status of the Central Area at the top of Auckland's hierarchy of centres and ensure that it is acknowledged

as an outstanding location for business, culture, entertainment and living. Policies relevant to the plan change include:

- d) By facilitating and encouraging redevelopment and the construction of new buildings and infrastructure to meet the needs of business and other activities in the Central Area.*

The plan change seeks to enable significant opportunities for working, shopping and entertainment in the heart of the Central Area, in close proximity to multiple public transport facilities. The proposed provisions will enable a human scale of development that will provide strong and active edges to the streets, and require new connections that will enhance pedestrian permeability.

In addition, this approach is consistent with the recommendations of the Reset report as the proceeds from the sale of this part of Queen Elizabeth Square will be used to create new/improved open spaces elsewhere along the waterfront that will provide higher levels of public amenity and utility.

4.3 PROPOSED AUCKLAND UNITARY PLAN (PAUP)

The PAUP was notified in September 2013. The further submission period closed on February 28 2014 and the hearing process is currently underway.

Under the provisions of the PAUP, the site is located Downtown West Precinct, which applies to the entire surrounding block and also the block to the west. The objectives of the Downtown West Precinct apply in addition to the objectives of the City Centre zone. The objectives seek to provide a mixture of uses and an integrated form and scale of development. They also seek to enhance pedestrian connectivity between the core central business area and the waterfront.

The provisions of the Downtown West Precinct include a framework plan mechanism that recognises the potential for Queen Elizabeth Square to be rezoned. In particular, the precinct description states the following:

“A framework plan is enabled within the precinct. The primary purpose of the framework plan is to demonstrate how the public open space and street network will function within the block. Queen Elizabeth Square may be relocated through the framework plan process. If approved, the square can be closed and the precinct will apply the City Centre zone objectives, policies and rules.

In addition to the above, the precinct plan diagram identifies the site as ‘Area A’. The activity table for the precinct states:

“If the legal road within Area A on precinct plan 1 is closed, the area will be classified as City Centre zone and will have the same activity status as activities within the City Centre zone and the Downtown West precinct.”

The PAUP provisions therefore contemplate that Queen Elizabeth Square might be closed and relocated elsewhere. In such a case, the land would assume a City Centre zoning (consistent with the rest of the block). The provision proposed as part of this plan change request seek to rezone the site to provide for a similar scale of development and the same mixture of retail, commercial and entertainment uses that currently apply to the surrounding land in a way that is consistent with the outcomes sought by the Unitary Plan.

4.4 AUCKLAND PLAN

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

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

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

The City Centre is identified in the Development Strategy as one of two locations for major place based initiatives. The particulars of the initiatives are provided in the City Centre Masterplan, which is discussed further in section 4.5 below.

The plan change seeks to enable the intensification of activity in the city centre through the creation of new employment, commercial and recreation opportunities in close proximity to public transport facilities.

4.5 CITY CENTRE MASTERPLAN

The Auckland City Centre Masterplan is Auckland Council’s strategic planning document that sets the direction for the future of the city centre to 2030. The plan identifies eight, high-level ‘transformational moves’ aimed at unlocking the potential of the city centre - making it the heart and ‘engine room’ of Auckland as well as becoming more family-friendly, pedestrian-friendly and environmentally-friendly.

The following transformational moves as outlined in the plan are directly relevant to the plan change:

- Key Move 1, 'Harbour Edge Stitch' seeks to create new connections that will enhance pedestrian permeability between the Queen Street Valley and the waterfront area. In particular, the plan notes that Queen Elizabeth Square and Lower Queen Street are Auckland's gateway for thousands of visitors, but their use and design do not create a great first impression. The construction of the City Rail Link provides an opportunity to redevelop the area as a lively and attractive urban space post construction
- Key Move 2, 'The Engine Room', seeks to enable an appropriate scale of and intensity of office and retail activity in the Queen Street Valley while also maintaining a high quality built form.

The plan change seeks to enable the intensification of built form and activity on the site and also includes the requirement for new pedestrian connections to be established through the surrounding block.

4.6 THE WATERFRONT PLAN

The Waterfront Plan 2012 sets the vision and goals for the long term development of the City Centre's waterfront. The downtown block that contains the site falls within the waterfront neighbourhood of 'Central Wharves'.

The Waterfront Plan includes a number of initiatives including the 'Harbour Edge stitch' which seeks to create a fine-grained approach to increasing north-south connectivity between the city centre and the waterfront.

The plan change contains specific provisions for the inclusion of an east-west pedestrian lane and a north-south pedestrian link. These measures will ensure that any redevelopment of the site will support the creation of a more fine-grained pedestrian environment.

4.7 DOWNTOWN FRAMEWORK

The Downtown Framework outlines projects planned for the downtown precinct at the northern end of Queen Street and aims to guide decision-making for this area.

The redevelopment of the Downtown Shopping Centre block is referenced in the Downtown Framework as a key project for creating a hub that will draw the city centre and the waterfront together². The Framework identifies the potential for

² Downtown Framework p54.

including Queen Elizabeth Square in the redevelopment scenario. The plan change will directly support several of the desired future outcomes articulated in the Plan. In particular:

- The plan change will enable Queen Elizabeth Square to be redeveloped in a way that will more strongly define and activate the edge of Queen Street.
- The plan change includes provision for an east-west pedestrian lane that will connect the Britomart transport centre with an intended bus interchange on Lower Albert Street.
- The plan change includes provision for a north-south link that will enhance pedestrian permeability between the Queen Street Valley and the waterfront area.

4.8 SUMMARY

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

At a local level, the strategic documents recognise that the importance of the waterfront area as a key destination to for the region, both in terms of its natural amenity and its proximity to the most intensive concentration of commercial activity in New Zealand. For this reason there is a consistent policy direction to ensure that development in the downtown area deliver occurs in a co-ordinated fashion that will deliver high quality urban outcomes.

In addition, the PAUP, City Centre Masterplan and Downtown Framework all specifically contemplate the sale of Queen Elizabeth Square so that the site can be redeveloped to provide improved built form outcomes, and new open spaces established elsewhere.

5.0 STATUTORY CONSIDERATIONS

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

22 Form of request

- (1) A request made under clause 21 shall be made to the appropriate local authority in writing and shall explain the purpose of, and reasons for, the proposed plan or*

change to a policy statement or plan and contain an evaluation report prepared in accordance with section 32 for the proposed plan or change.

- (2) *Where environmental effects are anticipated, the request shall describe those effects, taking into account clauses 6 and 7 of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change, policy statement, or plan.*

Section 32 of the Act sets out the requirements for an evaluation reports (emphasis added):

32 Requirements for Evaluation Reports

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

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

6.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

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

- Provision of open space in downtown Auckland
- Streetscape character
- Shading
- Wind
- Heritage and archaeology
- Cultural effects

These matters are set out and discussed below:

6.1 PROVISION OF OPEN SPACE IN DOWNTOWN AUCKLAND

The proposed plan change will enable the redevelopment of part of Queen Elizabeth Square for commercial uses, including retail and office activities where the public can work and shop. In this respect, the plan change will result in the loss of an existing area of public open space.

At their May 2014 meeting, officers from Auckland Council's Built Environment Unit (now the Auckland Design Office) provided the following report to Auckland Development Committee (ADC) on the utility of the site as an open space:

"Queen Elizabeth Square functions primarily as a passive space, a thoroughfare to pass through rather than a space to linger. It is generally regarded as an unsuccessful space. This can be attributed in part to the lack of active built frontage onto it and the visual and physical severance to lower Queen Street created by the entrance to the underground rail platforms and glazed canopy that defines its eastern perimeter. Perhaps more critically, it is the orientation of Queen Elizabeth Square that is its greatest drawback being cast in shadow by 1 Queen Street for significant portions of the day."

Based on the officer recommendations, the ADC resolved to approve in principle the sale of this area of Queen Elizabeth Square to Precinct subject to further investigation being undertaken on evaluating other open space options.

Following the May resolution of the ADC, Auckland Council commissioned Reset Urban Design to undertake an independent evaluation of the public space options for the downtown area, including Queen Elizabeth Square (**Appendix 6**). The

evaluation found that Queen Elizabeth Square, in either its existing or a potentially reconfigured state, would be fundamentally compromised as a public space. The evaluation concluded that better alternative spaces could be created or improved with the proceeds of the sale to enhance the overall provision of open space in the downtown area.

Officers presented the findings of the Reset study to the ADC at their September 2014 meeting. Based on the findings of the study and officer recommendations, the ADC resolved to confirm the sale of Queen Elizabeth Square to Precinct and agreed that the proceeds of the sale should be reinvested in alternative spaces along the downtown area. Particular sites for investigation reflected the findings of the Reset study and included:

- New/improved space west of Queens Wharf on the water's edge at the foot of Lower Albert Street
- Improved space around the historic ferry building and at the base of Queens Wharf
- New/improved space east of Queens Wharf in the Admiralty Steps area.

The proposed plan change is consistent with the findings of the Reset evaluation and is the practical means of giving effect to the policy direction of the Auckland Council. With regard to this point, the sale of this part of the Square will facilitate the development of new, superior open space outcomes such as the overall provision of open space in the downtown area will at least be maintained, and more likely enhanced.

Having regard to the above, it is considered that any adverse effects on open space arising from the plan change will be less than minor.

6.2 STREETSCAPE CHARACTER

The plan change will enable the redevelopment of the site and the establishment of new built form which will change the existing streetscape character of lower Queen Street.

Because the proposed provisions are substantively the same as the controls that currently apply to the surrounding block, the plan change will ensure that future land use and built form is consistent with existing development on surrounding land. In particular:

- The addition of the 'Pedestrian Orientated' activity overlay to Planning Overlay Map 2 will enable a diverse mix of retail, commercial and entertainment

activities to be established on site that will add to the activation and vibrancy of the public realm.

- The scale and intensity of future built form will be controlled by a mutually supportive suite of provisions relating to site intensity and height. Cumulatively, these controls will enable a level of development that is appropriate to the sites central location in downtown Auckland, but will maintaining a human scale that is in keeping with the existing heritage buildings on the eastern side of lower Queen Street.
- The plan change includes frontage provisions will ensure that future buildings address lower Queen Street and provides a sense of definition and enclosure for the streetscape environment.
- The proposed verandah control will ensure that the frontage areas include shelter for pedestrians from the elements.
- The proposed addition of assessment criteria requiring pedestrian connections will ensure that new development enhances pedestrian permeability in the downtown area.
- Future development will be subject to Clause 5.5.3 - Urban Design Control which requires any new building or external additions and alterations to undergo an assessment against specific design criteria set out in the plan.
- Development enabled by the plan change will not impact any of the identified views from public spaces or along streets as identified in Appendix 4 of the District Plan

Having regard to the above, it is considered that overall, the plan change will result in positive effects in terms of streetscape character.

6.3 SHADING

Warren and Mahoney have undertaken studies to identify the potential shading impacts enabled by the plan change and these are included as **Appendix 3**. The studies focus on the effect of a notional 19m building enabled by the plan change during the winter period between the hours of 11:30am and 2:00pm.

Key findings of the studies are outlined below:

April:

- Prior to 12:00pm there will be no additional shading effects.

- After 12:00pm, a small amount of shadow will be cast onto lower Queen Street, immediately adjacent to the eastern boundary of the site.
- Between midday and 1pm, the protrusion of the shaded area into lower Queen Street will increase to approximately the edge of the western footpath. During this time however, the total extent of the additional shading effect decreases as the shadow of the building is overtaken by the shadow cast by the existing HSBC building.
- By 1:30pm, the shadow of the HSBC building has completely subsumed the shadow of the 19m building and there is no additional shading effect.
- At 2pm, there is a small amount of additional shading at the southern portion of the protected part of lower Queen Street.

June:

- Between 11:30am and 12:30pm, the building will cast a small amount of shading onto lower Queen Street that gradually extends to approximately the edge of the western footpath.
- Between 12:30pm and 1:30pm, the shading continues to protrude further into lower Queen Street but at the same time is subsumed by the shadow of the Existing HSBC building.
- Between 1:30pm and 2:00pm, the shadow of the hypothetical building has been completely subsumed by the shadow of the HSBC building and there are no additional effects.

September:

- Prior to 12:00pm there will be no additional shading effects.
- After 12:00pm, the building will cast a small amount of shadow onto lower Queen Street, immediately adjacent to the eastern boundary of the site.
- Between 12:30pm and 1:30pm, the shadow of the 19m building is gradually subsumed by the shadow of the HSBC building. The hypothetical building will create some additional shadow immediately adjacent to the eastern boundary of the site, in the southern part of the protected part of lower Queen Street.

Having regard to the findings of the Warren and Mahoney shading studies and the existing shading created by the HSBC building, it is considered that any additional shading effects enabled by the plan change will be less than minor.

6.4 WIND

The wind effects of the plan change have been assessed by Opus and their report is attached as **Appendix 4**. The Opus assessment is based on wind tunnel testing using a 1:300 scale model of the hypothetical development that would be enabled by the plan change. Wind speed measurements were made under a variety of conditions that were representative of the prevailing wind directions over Auckland.

The findings of the report indicate that there is a small localised area of lower Queen Street, north of Customs Street, which exhibits some change in wind performance attributable to the built form enabled by the plan change.

In the worst case instance, the change in wind conditions is a drop from performance category B to C. These conditions are within the standards identified in the District Plan and are considered acceptable for typical footpaths.

Having regard to the findings of the Opus report, it is considered that any adverse wind effects arising from the plan change will be minor.

6.5 HERITAGE AND ARCHEOLOGY

While the site itself is not considered to be of historic significance, there are several heritage buildings located in the vicinity of the site and the development enabled by the plan change has the potential to affect heritage values. The potential heritage effects of the plan change have been assessed by Clough and Associates and their report is included as **Attachment 5**.

Key findings of the Clough and Associates report include:

- The plan change will not result in any physical effects to the surrounding heritage buildings.
- Heritage values of the buildings will still be able to be appreciated from the foot path once the site is redeveloped.
- The 'Wind Tree' sculpture noted on Planning Overlay Map 6 to the District Plan has been relocated to Wynyard Quarter and is no longer contained on the site.
- The protected city centre sightline looking east from the fountain (now removed) will not be affected by the plan change.
- Redevelopment of the Square will provide an opportunity to reinstate the historic grid pattern of development.

- Redevelopment of the Square will provide the opportunity to remove visual clutter and obstructions which will enhance the aesthetic context of adjacent heritage buildings.
- While redevelopment of the site enabled by the plan change has the potential to destroy archaeological remains, these matters can be appropriately dealt with through the resource consent and Archaeological Authority to modify processes.

With regard to the above and based on the findings of the Clough and Associates report it is considered that the proposed plan change will have less than minor effects on the environment in terms of heritage values.

6.6 CULTURAL EFFECTS

The site currently contains the sculpture 'Te Ahi Kaa Roa' which was created by Ngati Whatua in 2004. The sculpture represents continued tribal occupation, possession and guardian of lands, waterways and taonga by Ngati Whatua Ki Tamaki.

While the sculpture is not scheduled, if the site is redeveloped then it will likely need to be relocated which has the potential to affect cultural values.

As part of the development of their wider development plans, Precinct have been undertaking ongoing engagement with Ngati Whatua as well as other iwi with interests in the area. The future of the sculpture will be addressed through that ongoing consultation.

6.7 CONCLUSION

Based upon the above assessment, it is concluded that the built form and land use activity enabled by the plan change is appropriate to the site and surrounding environment in terms of open space, streetscape character, shading, wind effects, heritage, archaeology and cultural effects and that any adverse effects arising from the plan change will be minor or less than minor.

7.0 SECTION 32 ANALYSIS

7.1 APPROPRIATENESS OF PROPOSAL TO ACHIEVE THE PURPOSE OF THE ACT

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

The objectives of the plan change are to enable an intensity and scale of built form that is consistent with the existing development on surrounding land, while also responding to the particular context and characteristics of the local environment.

Section 5 of the Act identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment. It is considered that the plan change will achieve this purpose in that it will provide for the redevelopment of a scarce central city land resource and enable the community to provide for their economic and social wellbeing. In addition, the sale of this part of Queen Elizabeth Square will enable new, superior open spaces to be established which means that the plan change will not detract from people's social wellbeing.

Section 6 of the Act sets out a number of matters of national importance. The following matters are of particular relevance to the plan change:

- *d) The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers* – the plan change involves the requirement for new connections that will enhance pedestrian permeability between the CBD and the waterfront area.
- *e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga* – Development of the plan change and designs for the surrounding block has included consultation with iwi and mana whenua groups
- *f) The protection of historic heritage from inappropriate subdivision, use, and development* – Development of the plan change has involved consultation with Heritage New Zealand and the plan change request includes an assessment of effects supported by a specialist heritage report prepared by Clough and Associates. The conclusions of the Clough and Associates report was that the plan change would have less than minor effects on historic heritage.

Section 7 of the Act 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 enable the redevelopment of a scarce and valuable central city land resource to provide for the community's economic wellbeing. The sale of

this part of Queen Elizabeth Square will also allow the redeployment of scarce open space resources to areas where they will provide greater social wellbeing.

- *c) The maintenance and enhancement of amenity values* – the proposed provisions of the plan change are cognisant of the surrounding development and established land uses and will maintain and enhance the amenity and the quality of the existing environment.
- *f) Maintenance and enhancement of the quality of the environment* – the plan change will result in the development of an urban form that will make a positive contribution to the quality of the public realm. The sale of this part of Queen Elizabeth Square will also allow the redeployment of scarce open space resources to areas where they will provide greater public amenity and enjoyment.
- *g) Any finite characteristics of natural and physical resources* – the plan change will enable the redevelopment of a scarce and finite area of central city land

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.

For the above reasons, it is considered that the objectives of the plan change are the most appropriate way to achieve the purpose of the Act.

7.2 APPROPRIATENESS OF THE PROVISIONS TO ACHIEVE THE PLAN CHANGE OBJECTIVES

Section 32(1)(b) of the Act requires an evaluation to examine whether the provisions in 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

These matters are addressed below>

7.2.1 Other Reasonably Practicable Options

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

- Option 1: Do nothing (Status Quo) and rely on resource consent application(s)
- Option 2: Alternative provisions for the land
- Option 3: Wait for the review of the District Plan to take effect (PAUP)

Each of these alternatives is discussed below:

Option 1: Do nothing (status quo)

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

Part 14.2 of the Central Area District Plan sets out the objectives and policies of the Public Open Space precincts. In addition, Part 14.2a sets out the Concept Plan provisions, including activities and development controls, for the Queen Elizabeth Square site.

As described in Section 3 of this report, the existing provisions applying to the site allow for a very limited range of permitted and controlled activities to be carried out. Those that are provided for generally concern the maintenance and enhancement of the existing open space.

The development controls for the site specifically seek to limit that amount of built form achievable on the site to less than 5% of the total area in order to maintain a spacious environment.

The limited scope of activities offered by the Open Space zone would mean that establishing new buildings land uses would require non-complying resource consent which would be assessed against the objectives and policies of the Public Open Space precincts set out in Part 14.2 of the Central Area District Plan. These objectives and policies generally seek to maintain the existing character of open space environments and do not anticipate redevelopment for commercial purposes.

In addition to the time and cost burden of making applications for each and every use not associated open space, land owners would be faced with uncertainty of the consent outcome due to the requirements of the Act for non-complying activities. Furthermore, the public would also not have any certainty in terms of the future intended use of the site.

Given Council's decision to dispose of the land, it is not considered that the "Do Nothing" option is an appropriate means of managing the future development of the land.

Option 2: Alternative provisions for the site

The plan change will enable the redevelopment of the site and the establishment of new built form and activities. In deciding upon what provisions may be appropriate for the site, consideration was given to:

- The purpose and principles of the Resource Management Act 1991
- The relevant strategic and statutory planning documents for the Central Area.
- The provisions applying to the surrounding land and established activities on properties within the immediate vicinity.
- The character of the site in terms of its immediate environment and also its wider context within the Central Area.

Having regard to the above, it was considered that there are three categories of alternative provisions may be considered as reasonably practicable alternatives for the site:

- Apply the provisions of the Queen Street Valley Precinct – It is considered that extending the Queen Street Valley precinct to include the site would not be the best way to achieve the objectives of the plan change as there is a fundamental contrast in form and character or development in the Queen Street Valley and that of the site and the surrounding block. The Queen Street Valley is characterised by a much finer grain of development with smaller plots and significant numbers of heritage character buildings. In contrast, the site and surrounding block are characterised by comparatively larger plots occupied by modern buildings and bounded by wide streets.
- Apply the provisions of the Britomart Precinct – It is considered that extending the Britomart precinct to include the site would not be the best way to achieve the objectives of the plan change as the objectives of the Britomart precinct are fundamentally based around maintaining heritage character. While the plan change will only enable low rise development on the site, there surrounding block includes a mixture of high rise typologies and all buildings have a modern architectural style.
- Create a new, unique precinct with its own set of provisions – It is considered that creating a new precinct with its own set of controls would not be the best way to achieve the purpose of the plan change as the request applies to a single, undeveloped site within the context of a surrounding block that has an established scale and character of built form.

Having regard to the above, it is considered that the most appropriate provisions to achieve the purpose of the plan change are those that currently apply to the

surrounding land, with some additional modifications to reflect the specific characteristics of the site.

Option 3: Wait for District Plan review (PAUP)

As discussed in section 5.1.3 of this report, the provisions of the notified version of the PAUP would help to facilitate the rezoning of the site to apply the activities and rules applicable to the surrounding land. However, the hearings process for the PAUP only began in September 2014, and is expected to run until approximately April 2016. The Hearings Panel's report to council is not anticipated until July 2016 and the final Auckland Council decision not being released until late 2016 or early 2017.

Without greater certainty about the timing of when the PAUP may become operative, it is difficult for Precinct to advance their intentions for development of the block in a co-ordinated manner. If Precinct were to wait for the provisions of the PAUP to become operative, the potential delay creates a risk that the regulatory environment or market conditions may have changed so that future development of the land is ad hoc and less integrated with the surrounding block than what could have otherwise be achieved.

The current plan change request will therefore provide the land owner and the public with a greater level of certainty regarding the future expectations for the site and will allow development to proceed in a co-ordinated and integrated manner.

7.2.2 Efficiency and Effectiveness of Provisions

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

- Applying substantively the same suite of provisions that currently apply to the surrounding land will ensure that future development is consistent and integrated with the existing environment.
- The additional proposed amendments recognise the specific characteristics and context of the site and provide for improvements that will further enhancing the area and its surrounding land uses.
- The simplicity of this plan change request is a reflection that is consistent with the relevant objectives of the Central Area plan and that the existing provisions are robust with little need for change.
- The provisions do not fundamentally differ from those in the council's Proposed Auckland Unitary Plan

7.2.3 Costs and Benefits

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

Proposed Changes to Overlay Maps

Benefits	Costs
The proposed provisions reflect the intended future use of the site.	Implementing the proposed provisions requires a plan change to be undertaken at significant private cost.
The proposed provisions are consistent with Auckland Council's local strategic documents for the area.	Undertaking a plan change to implement the proposed provisions is administratively harder than waiting for review under PAUP.
The proposed provisions are consistent with existing operative planning framework.	The proposed provisions of the Plan change will only have a limited lifespan.
The proposed provisions are consistent with Auckland Council's future resource management policy direction as set out in the PAUP.	Loss of open space, however, this can be mitigated through the provision of enhanced open space elsewhere.
The proposed provisions will create greater certainty for the land owner for future capital investment.	
The proposed provisions will create greater certainty for the public regarding the expected outcome for the site.	
The proposed provisions will enable a scale and intensity of built for that is consistent with the surrounding development.	
The proposed provisions will enable increased opportunities for people to work and shop in the downtown area.	
If different provisions were applied, this may allow for an developmental anomaly in the area as the provisions will only have a limited lifespan	

Proposed Provision for Pedestrian Connections

Benefits	Costs
The proposal to include specific provision for pedestrian connections will ensure that future development creates legible pedestrian access and circulation through the block.	The proposed requirement of 24/7 public access through the east west pedestrian lane precludes future development opportunities over this land

Proposed Exception to Sunlight Admission Control for a 19m Building

Benefits	Costs
The proposed provision will enable a reasonable level of development on the site that is appropriate to its location in the context of the downtown area.	The proposed exception will enable a small amount of additional shading to be created onto lower Queen Street.
The proposed provision will ensure that development maintains a human scale and is in keeping with the scale of nearby heritage buildings	
The proposed provision will allow for development of a building that will front onto lower Queen Street and create a sense of definition and enclosure	
The proposed provision will allow activities to be located in a manner that will add to the vibrancy and activation of the public realm.	
The proposed provision is consistent with Auckland Council's future resource management policy direction as set out in the PAUP.	
Most of Lower Queen St will not be subject to any additional shading.	

Proposed Verandah Control

Benefits	Costs
The proposed verandah provisions will ensure that pedestrians have adequate shelter from the weather.	Verandahs can detract from the visual amenity of buildings.
The proposed provision of a verandah control is consistent with the existing requirements applying to the surrounding block.	Verandahs can obscure views to local natural or cultural features and landmarks.
	The proposed requirement to provide a verandah will create additional cost for any future development.

Proposed Frontage Control

Benefits	Costs
The proposed frontage control will ensure that future development defines the streetscape and creates a sense of enclosure.	The proposed frontage control will result in a small amount of additional shading onto lower Queen Street.
The proposed frontage control will ensure the location of future built form enables activation of the streetscape.	
The proposed frontage control is consistent with Auckland Council's future resource management policy direction as set out in the PAUP	

Proposed Deletion of the Queen Elizabeth Square Concept Plan

Benefits	Costs
The proposed deletion of the Concept Plan will allow the site to be developed for commercial activities.	Deleting the Concept Plan requires a plan change to be undertaken at significant private cost.
The proposed deletion of the concept plan will allow the development of built form that will contribute positively to the local environment and be in keeping the development on surrounding land.	
The proposed deletion of the concept plan is consistent with Auckland Council's future resource management policy direction as set out in the PAUP	

7.2.4 Risk of Acting or Not Acting

It is considered that sufficient information has been gathered to justify proceeding with the plan change request and that the risk of acting on this information is less than not acting.

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

7.3 SECTION 32 EVALUATION CONCLUSION

Pursuant to Section 32 of the Resource Management Act 1991, the evaluation contained in this report confirms that the proposed provisions are considered to be the most appropriate way to achieve the purpose of the Act, being a better zoning than the existing zone, meeting the requirements of the Resource Management Act 1991 and are the most efficient and effective means of facilitating the use and development of the subject land into the foreseeable future.

8.0 CONSULTATION

Consultation is not a mandatory requirement as part of the development of a plan change however, Section 6 of Schedule 4 of states that, where consultation has been undertaken, details be provided.

RCP have prepared a communications schedule that provides details of consultation undertaken and this is included as **Appendix 8**. A summary of the schedule is provided below.

8.1 AUCKLAND COUNCIL AND CCOS

Extensive consultation has been undertaken with Auckland Council and Council Controlled Organisations (CCOs), both with regard to the plan change specifically, and Precinct's wider aspirations for development of the surrounding land.

Consultation has included the following:

- A presentation to Auckland Council Property Limited (ACPL) on 9 April 2014 regarding the proposed development.
- Since October 2014, regular ongoing meetings have been held with officers from Central Resource Consenting and Compliance regarding intended design outcomes and land use consenting requirements.

- Since December 2014, several meetings have been held with various officers from Plans and Places (formerly Regional and Local Planning) regarding the form and content of the plan change.
- Three presentations to the Auckland Council Urban Design Panel regarding Precinct's intentions for development with, and without Queen Elizabeth Square (18 September 2014, 11 November 2014 and 26 February 2015).
- Consultation is underway with Auckland Transport in respect of the road stopping process for Queen Elizabeth Square.

8.2 IWI AND MANA WHENUA

Iwi and mana whenua have been consulted on several different occasions regarding the future of the downtown area:

- On 7 October 2014, a letter was issued to 13 iwi groups informing them of Precinct's intentions for development and inviting them to future engagement initiatives.
- On 12 November 2014, a presentation was made to iwi to representatives on the below ground and above ground aspects of the proposal. Attendees included Ngāti Whātua o Ōrākei, Ngāi Tai Ki Tāmaki, Ngāti Paoa and Ngāti Maru. Minutes from the meeting were also circulated to Ngāti Tamaoho and Te Akitai Waiohua
- On 10 December 2014, a presentation was made to iwi to representatives on the below ground and above ground aspects of the proposal. Attendees included Ngāti Whātua o Ōrākei, Ngāi Tai Ki Tāmaki and Ngāti Maru. Minutes from the meeting were also circulated to Ngāti Paoa, Ngāti Tamaoho, Te Akitai Waiohua and Te Rūnanga o Ngāti Whātua.

In addition to engagement undertaken by Precinct, iwi and mana whenua have also been involved in strategic planning and local place-making initiatives led by Auckland Council:

- Between April and September 2014, ACPL and the Auckland Design Office (formerly the Built Environment Unit) liaised with mana whenua on the potential sale of Queen Elizabeth Square and alternative public space options.
- Separate engagement initiatives were held in recognition of the Te Ahi Ka Roa sculpture, which will require relocation.
- The City Centre Integration Group (CCIG) held hui on a range of City Centre Projects, including a presentation provided by Precinct regarding the Downtown Development.

8.3 HERITAGE NEW ZEALAND

Two separate meetings have been held with Heritage New Zealand regarding the proposed plan change and Precinct's intentions for development of the site. An Archaeological Authority to modify the site is currently being sought and will be required to be approved prior to any excavation of the site being undertaken.

8.4 LOCAL LANDOWNERS

Precinct have informed local land owners of their intentions for development:

- A presentation was made to Britomart Group on 19 January 2015 regarding the proposed development of block, including option involving Queen Elizabeth Square.
- An information pack was provided to tenants of HSBC, Zurich, AMP, ANZ and PwC via email on 27 March 2015.

9.0 CONCLUSION

This report has been prepared in support of Precinct Properties Downtown Limited's request for a plan change to the provisions of the Auckland Council District Plan Operative Central Area Section 2005 as they relate to Queen Elizabeth Square.

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

Specialist reports have been prepared in support of the application covering heritage, shading, wind and open space. Based on these reports, a comprehensive analysis of potential adverse effects has been provided in section 6 of this report where it was concluded that the proposed plan change provisions will ensure that effects will be avoided or reduced to an acceptable level

An assessment against the provisions of Section 32 of the RMA is provided in section 7 of the report. This includes an analysis with respect to the extent to which the objectives of the plan change are the most appropriate to achieve the purpose of the Act and an examination of whether the provisions of the plan change are the most appropriate way to achieve its objectives.

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

AUTHOR

Handwritten signatures of Gerard Thompson and Peter Cooper in black ink.

Gerard Thompson/Peter Cooper
Principal/Planner, Barker & Associates Limited