

**Three Kings  
Private Plan Change  
Planning Request:  
Planning report addendum  
PA372**

6 October 2014

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## 1.0 INTRODUCTION

- 1.1 This document is an additional report to the “Three Kings Private Plan Change Request 15 H1” report dated 31 August 2014. That document was the planning report in support of a private plan change request by Fletcher Residential Limited (Fletcher) seeking a comprehensive rezoning of the former Winstone Aggregates and Mt Roskill Borough Council quarries and adjacent land at Three Kings.
- 1.2 This report follows a request by Auckland Council to make amendments to the private plan change request prior to notification of the Plan Change, and to further explain other aspects of the private plan change request and related reports. Fletcher has treated this as a request under clause 23 of the First Schedule to the Resource Management Act 1991
- 1.3 This report should be read in addition to the primary report entitled “Three Kings – Private Plan Change Request 15-H1” and dated 31 August 2014.
- 1.4 Fletcher has agreed to make changes to the Private Plan Change Request to reflect the modifications requested by the Auckland Council. The modified Private Plan Change Request is attached in this supplementary material. The Private Plan Change is in substitution for the requested Private Plan Change included within the Fletcher application of 31 August 2014.
- 1.5 The reports / letters forming part of this supplementary document are:
  - (a) Requested Private Plan Change
  - (b) planning report – Tattico (this report);
  - (c) urban design letter– dKO Architecture;
  - (d) landscape letter– Surfacedesign Incorporated;
  - (e) transport report – Traffic Design Group (TDG);
  - (f) stormwater management report – Pattle Delamore Partners Limited;

(g) geotechnical letter– Tonkin & Taylor;

(h) noise – Marshall Day.

1.6 This planning report is divided into the following sections:

(a) Concept Plan Objectives and Policies;

(b) Activities – Residential 8B;

(c) Activities Open Space 2 and Open Space 3;

(d) Density;

(e) Development Controls;

(f) Assessment Criteria;

(g) Matters of Discretion;

(h) Zoning;

(i) Three Kings Plan;

(j) Master Plan.

1.7 This planning report should be read in conjunction with the other technical reports and urban design analysis forming part of this Private Plan Change Request.

## **2.0 PRIVATE PLAN CHANGE**

2.1 The following sections outline the modifications to the private plan change following the Council’s feedback and request for changes to the Plan Change. It sets out the reasons for these modifications. It also provides further explanatory material which the Council requested.

2.2 The following controls cumulatively will achieve a high quality urban design and development. This is achieved by:

- setting clear objectives and policies ;
- setting the basic framework for the area through a concept plan;
- effectively requiring a "planned unit development" prior to major implementation of subdivision leading to development sites;
- managing the range of activities in the area;
- ensuring all buildings require controlled activity consent to enable assessment of design quality;
- setting design assessment standards relating to urban design, landscaping, building and Te Aranga principles which promote quality development;
- setting assessment criteria that will achieve sound infrastructure provision and high environmental quality, particularly around stormwater.

### **3.0 CONCEPT PLAN OBJECTIVES AND POLICIES**

3.1 The Council has requested an additional policy be included within the proposed private plan change relating to water quality.

3.2 Fletcher has agreed to make the requested modification. This is achieved by:

- (a) recasting Objective 3 to address water quality;
- (b) including a new policy relating to water quality, and in particular encouraging the use of low contaminant roofing materials;
- (c) including a policy encouraging the use of rain gardens and tree pits as part of stormwater management.

### **4.0 ACTIVITIES – RESIDENTIAL 8B**

4.1 Retail related activities

4.1.1 The Council has sought clarification around the proposal for retail related activities (namely retail, food and beverage, dairies) within the Residential 8B area.

- 4.1.2 Essentially the Fletcher concept is to allow this range of active uses on the Grahame Breed frontage adjacent to the town centre. This is intended to help activate these streets and to create interest, vibrancy and activity at street level within the town centre precinct and adjacent to potential plaza area identified in the Three Kings Plan.
- 4.1.3 Equally there should be some retail opportunity within the Riu (valley floor) and perhaps on the Mt Eden Road frontage adjacent to public transport facilities. Fletcher proposes that retail activities in these areas would be of small scale.
- 4.1.4 Amendments have been made to the private plan change to more precisely target this range of activities and their location. In particular:
- (i) An amendment has been made to the concept plan to identify an area of “active uses at street level” within the Residential 8B zone. The identified area is immediately adjacent to the town centre where ground level retail activity is encouraged.
  - (ii) Elsewhere throughout the rest of the Residential 8B zone, a gross floor area cap is placed on retail, dairies and food and beverage. The proposed planning controls will still provide for the small eatery or dairy within the Riu, or on the Mt Eden Road frontage; but will ensure there is not a significant growth in retail generally across the Residential 8B zone.
- 4.1.5 All buildings are controlled activities and are assessed under the urban design criteria for the Concept Plan area.
- 4.1.6 Consequently the private plan change will now ensure that any retail type development is encouraged along the street level frontage adjacent to the town centre, but otherwise limit retail activity within the Residential 8B zone. All buildings will be assessed against urban design and planning criteria to ensure quality development.

## 4.2 Infrastructure

4.2.1 The plan provides for the provision of infrastructure consistent with the Concept Plan and / or an approved 'planned unit development' as a permitted activity. All permitted activities are subject to compliance with the other rules within the Concept Plan area.

4.2.2 The Concept Plan currently shows infrastructure related to:

- the primary road;
- prime bus related public transport connections;
- the walkway network.

4.2.3 The plan change has been modified to explicitly show the wetland area.

4.2.4 Consequently the development of the wetland, roading, public transport connections and walkways will be a permitted activity under this Private Plan Change if consistent with the Concept Plan and meeting the development rules.

## 4.3 Rehabilitation

4.3.1 The Council is seeking clarification on issues of works relating to roading and service utilities as part of quarry rehabilitation.

4.3.2 Rehabilitation of quarries is proposed as a restricted discretionary activity. The Council will have the ability to control infrastructure works including roading and services implemented as part of rehabilitation.

4.3.3 The reason it is important for rehabilitation to address core infrastructure is that clearly the rehabilitation of the former quarry land needs to cater for long-term use. Fill levels and contouring should take account of the required roading network and provide any essential services at the time the works are undertaken.

4.3.4 The assessment criteria have been modified to address these infrastructure related matters.

#### 4.4 General Activity rules

4.4.1 The Council has asked for elaboration of the general rules which follow the activity tables.

4.4.2 The Private Plan Change has been amended to clarify these points.

4.4.3 Two sets of changes have been made:

- (a) Following the residential 8B activity table, a rule requires “the permitted activities identified in the above tables are allowed without resource consent where they comply in all respects with the development controls.”

This clause is intended to require all permitted activities to meet the development controls of the Concept Plan. It is accepted that to an extent this duplicates a rule that already requires this within the general provisions of the Operative District Plan. However for clarity it is proposed to retain this rule in this location.

The rule is now also added following the Open Space 2 and Open Space 3 activity table.

- (b) A second rule requires controlled and restricted discretionary activities to comply with the density controls and subdivision controls. Failure to meet these controls would make that proposed development a full discretionary activity.

The rule has been amended to make it clear that controlled and restricted discretionary activities are assessed against the criteria set out in section H “Assessment Criteria”. This clarifies the implementation of this rule.

A criteria is added to the building section which states “the degree to which buildings meet the development controls of the Concept Plan”. This sets in place a framework which enables assessment of



developments on their merits, but makes it clear that an assessment against the development controls is required.

## **5.0 ACTIVITIES – OPEN SPACE 2 AND OPEN SPACE 3**

- 5.1 The proposed plan provides for a range of support uses in the Open Space 2 and Open Space 3 zones.
- 5.2 Most activities involving buildings are a restricted discretionary activity.
- 5.3 The one exception had been “restaurants, cafes, kiosks and other eating places” with a gross floor area under 250m<sup>2</sup> which was listed as a permitted activity.
- 5.4 For consistency reasons, the plan change has been modified to provide for this as a restricted discretionary activity.
- 5.5 The Council will have a significant control over these activities. This will be both in terms of the Council’s regulatory powers particularly the planning controls and assessment criteria that will apply to any buildings constructed under these controls; and to the Council’s controls as manager of the open space land.
- 5.6 The majority of land zoned Open Space 2 and 3 will vest in either the Council or the Crown. That land vested in the Crown will come to Auckland Council in terms of the control and management mechanisms under the Reserves Act.
- 5.7 This approach satisfies the objectives and policies of the zone by protecting the intrinsic open space values of the area, but providing through the resource consent process for the development of an appropriate range of uses which contribute to the recreational and open space amenity of the area.
- 5.8 The environmentally sensitive area of the maunga is zoned Open Space 1. This is the District Plans high conservation zoning. There is nothing in this proposed private plan change which changes the controls on this important conservation land.
- 5.9 Because of the nature of the location of the open space zoning and development is controlled by a concept plan with associated "planned unit development" of the

infrastructure for the area, the construction of buildings can be appropriately dealt with as a restricted discretionary activity.

## **6.0 DENSITY**

6.1 The private plan change states that the number of dwellings within the concept plan area must not exceed 1,500 dwellings. The Council has asked for confirmation of this maximum, and confirmation that any increase in units above 1,500 would be a full discretionary activity.

6.2 I confirm that is the case. Section 2.20 of the Tattico planning report identifies that the current intention is to deliver between 1,200 and 1,500 additional homes. 1,500 is seen as the current maximum for the area. All design work and infrastructure planning is based on 1,500 homes.

## **7.0 DEVELOPMENT CONTROLS**

### **7.1 Height**

7.1.1 The Private Plan Change Request sets a height within the Riu of RL64 plus four storeys. The private plan change has applied this throughout the Riu.

7.1.2 The Council has questioned this height as it relates to the sportsfield and open space area.

7.1.3 Fletchers accepts that the Council will only want to put range of recreational type activities on this land. This area has therefore been changed to a maximum height of RL64 plus two storeys within the Height Diagram of the development controls for the Concept Plan area.

7.1.4 Due to the unique nature of the land subject to this plan change, the plan adopts a technique of setting an RL level as the base figure from which height is calculated, then a set of storeys above that base level which buildings can achieve.

7.1.5 The District Plan definition of storey caps the height of any storey calculation at 4m.

7.1.6 By way of example, the cascading apartments along Mt Eden Road set a maximum height based on a series of RLs plus four storeys. Consequently from the perspective of Mt Eden Road, the maximum height is four storeys. However, because of the lower level of the Riu, a further six levels can be built below this RL level. The significant benefits of this approach are outlined in the original planning report dated 31 August, and the dKO report containing the urban design analysis dated 1 August.

## 7.2 Impervious area, building coverage and landscaping

7.2.1 The Council has sought clarification on the development control rules relating to impervious area, building coverage and landscaping.

7.2.2 The development proposal sets a maximum building coverage of 65% for buildings of four or more storeys and 70% for buildings of 1-3 storeys.

7.2.3 The building coverage rule applies to the site.

7.2.4 The maximum impervious area can be reduced and offset by other open space within the Concept Plan area. This could be land zoned Residential or Open Space.

7.2.5 The purpose of the maximum impervious area control throughout the District Plan is for stormwater management. It is to ensure that there is some ground soakage and water holding capacity within periods of peak rainfall.

7.2.6 In the case of the Three Kings area, there are very high levels of ground permeability. The report of Mr Seyb attached to this document demonstrates that even in a 50 year storm event under the most conservative assumption, there will only be surface ponding for 2.2 hours once the event concludes. At storm events less than 50 there will be no ponding areas.

7.2.7 The control as proposed within this Private Plan Change will meet the requirement for permeability.

7.2.8 The landscaping control is designed to ensure amenity areas throughout the site.

7.2.9 All buildings within this plan change area require controlled activity consent. Those controlled activity developments are assessed under the criteria set out in the Concept Plan, and in the case of residential development, the relevant criteria of Appendix 10 to the Operative District Plan: Isthmus section. The clarification to the cross referencing to Appendix 10 requested by the Council is included in the plan Change request.

7.2.10 These criteria ensure among other things:

- building design, appearance, and impact is compatible with the Concept Plan and zoning including architectural treatment, building façade and natural and physical landscape (among other factors);
- buildings are designed to create a positive interface with open space, roads and elements of the public realm;
- developments are landscaped and designed to minimise impact on the site and abutting or facing residential or open space zoned land;
- integrated comprehensive development of land which provides for quality residential development and integrates the maunga, town centre and open space;
- quality landscaping is achieved.

7.2.11 The mechanisms of the plan change effectively promote 'planned unit development' as the first stage of development. Planned unit developments are a restricted discretionary activity. They set a planning framework for the design, form and structure for the development. Each subsequent building requires resource consent.

7.2.12 This comprehensive master planned approach will ensure high quality development and quality landscaping throughout the precinct.

### 7.3 Height in relation to boundary

- 7.3.1 Clarification has been sought over how daylight and sunlight admission to buildings will be managed.
- 7.3.2 The core benefit of the cascading apartments are that these developments largely face west and north, with some apartments facing Grahame Breed Drive and Mt Eden Road. These buildings will have very high amenity and most have high levels of access to sunlight and daylight.
- 7.3.3 The controls relating to the terrace house and other typologies in the Riu will follow a more traditional form of development with typically terrace housing typologies facing the road or rear yards.
- 7.3.4 This is a masterplanned development. All buildings are subject to controlled activity status. No buildings can be constructed as of right.
- 7.3.5 The controlled activity status sets out criteria dealing with urban design, landscaping, and specific building control elements.
- 7.3.6 Additional criteria has been added to the building section to specifically address access to sunlight and daylight. This will complement the extensive other design controls proposed as part of this plan change.
- 7.3.7 Particular Assessment Criteria are introduced to take account of the typology of the Cascading Apartments. The assessment criteria would ensure careful design and evaluation of the impact of these buildings.

### 7.4 Yards

- 7.4.1 Rule 2.5 applies to the exterior of the Concept Plan area where it adjoins land zoned Residential or Open Space or faces such land across a road. Effectively it will apply along Mt Eden Road, parts of Grahame Breed Drive.
- 7.4.2 Land around the western field and alongside Te Tatua a Riukiuta is zoned open space. Significant setbacks are provided through this zoning.

- 7.4.3 The control will not apply along the northern boundary where it adjoins the industrially zoned land nor to parts of the southern boundary where it adjoins the town centre.
- 7.4.4 The rule effectively sets back buildings 3m from Mt Eden Road and Grahame Breed Drive but allows at upper levels balconies to protrude into this 3m yard by up to 1m.
- 7.4.5 Given the width and nature of Mt Eden Road, the opportunity to articulate facades and to enhance amenity by enabling balconies to be designed in this way, provides good amenity to site residents and has minimal impact on adjacent properties on the eastern side of Mt Eden Road.
- 7.4.6 This rule does not apply to buildings within the concept plan area. All buildings within this area are controlled activities. For the same reasons as set out under the 'height in relation to boundary' discussion above, the controlled activity resource consent have extensive criteria on urban design landscaping, and the building assessment; to ensure quality master plan development.
- 7.4.7 In particular the criteria include:
- buildings, design, appearance and impact are compatible with the Concept Plan and zoning including elements of height architectural treatment of building façade and overall scale;
  - buildings are designed in a manner which creates a positive interface with open space, roads and other elements of the public realm;
  - architectural treatment of the cascading apartments provides an articulated façade including use of balconies and other architectural features which form an interesting built form;
  - development as landscape and design to minimise its impact on the site and abutting or facing residential or open space zoned land;
  - an integrated comprehensive development of the land which provides for quality residential development.

- 7.4.8 All development is preceded by a 'planned unit development' which creates the comprehensive master plan for the area. Individual buildings are then subject to a resource consent which addresses the specific designs within the context of the 'planned unit development'.
- 7.4.9 This provides a control regime which will ensure quality development of the site.
- 7.4.10 Each building prior to it being consented will be subject to an evaluation of that building in the context of the Concept Plan, the by then 'planned unit development', and of the building itself in terms of the assessment criteria of the plan change.

## 7.5 Private Open Space

- 7.5.1 Issues of private open space and outlook are managed through the resource consent process.
- 7.5.2 All buildings are controlled activities and require resource consent. Controlled activity is assessed under a range of criteria set out in the private plan change. This both adopts many of the assessment criteria of the Residential 8B zone as well as a series of additional criteria specific to the Three Kings Precinct.
- 7.5.3 Apartment typologies typically rely on outlook and outdoor decks for this form of amenity. Terrace house typologies typically have ground level or roof top landscape and outdoor recreational areas.
- 7.5.4 The most intense form of development are the cascading apartments which have particular assessment criteria. The vast majority of these apartments will face north or west and in each case will have public space within the foreground. Any other apartments face onto either Mt Eden Road or Grahame Breed Drive.
- 7.5.5 The cumulative effect of all buildings requiring controlled activity assessment and the comprehensive nature of the assessment criteria both in terms of the concept plan area itself, and the general criteria outlined in Appendix 10, will ensure that all buildings achieve high quality urban design.

## 7.6 Special height limit: Volcanic cones

- 7.6.1 Clarification has been sought on the impact of rule 2.10 within the private plan change.
- 7.6.2 The western field is the historic quarry of the former Mt Roskill Borough Council.
- 7.6.3 The current height control relating to the volcanic cones sets a height on the surrounds of Te Tatua a Riukiuta of 9m above the rim of the western field on all three sides. The same control sets a maximum height of 7.5m from the floor of the western field.
- 7.6.4 Clearly it is the 9m height at the rim of this former quarry that impacts the views of Te Tatua a Riukiuta.
- 7.6.5 The effect of rule 2.10 is to lift the 7.5m maximum height limit up to the same base line of the rim of the western field.
- 7.6.6 This is more particularly shown in the diagram attached to the letter of dKO – Appendix IV View Analysis of Western Parcel.

## 7.7 Te Tatua a Riukiuta sight lines

- 7.7.1 A new rule is introduced entitled Te Tatua a Riukiuta sight lines.
- 7.7.2 The purpose of this control is to more particularly define the sight lines identified in the Concept Plan. This addition has been requested by the Council. The control defines the site lines in three dimensions.
- 7.7.3 This is shown on a diagram forming part of the Private Plan Change.

## 7.8 Water quality

- 7.8.1 The Council has requested that a rule be included dealing with low contaminant roof and building material.



7.8.2 Fletcher is committed to quality stormwater management within the Concept Plan area, and accepts this Council request.

7.8.3 There is no similar rule within the Operative District Plan which could be included within this Private Plan Change Request. Consequently Fletcher has included a rule similar to that contained within the Proposed Auckland Unitary Plan which has the effect of encouraging low contaminant building materials and placing restrictions on the use of high contaminant materials. A definition of “low contamination” this has been introduced into the plan. This also borrows from the Proposed Auckland Unitary Plan.

## **8.0 ASSESSMENT CRITERIA**

### **8.1 Assessment criteria application**

8.1.1 The Council has requested the plan change clarify the method of addressing the assessment criteria.

8.1.2 This introductory clause has been redrafted to make this clear.

8.1.3 Essentially the plan change requires resource consents to be assessed under the criteria set out within the plan change. All buildings are required to be assessed against the criteria within the plan change plus the additional relevant criteria within Appendix 10.

8.1.4 There are certain controls in Appendix 10 which are superseded by the specific assessment criteria applying to the Three Kings area. The rules within Appendix 10 do not apply.

### **8.2 Rehabilitation of former quarry land**

8.2.1 As stated in 4.3 above, an additional criteria has been introduced into clause 1.2 dealing with rehabilitation of former quarry land. This ensures that infrastructure provided as part of the rehabilitation should meet the general infrastructure criteria within this section.

- 8.2.2 Clarification has been sought on the progressive removal of the earth bund along Mt Eden Road.
- 8.2.3 To control the visual effect of the quarry during its quarrying operation, a raised urban bund with trees planted was located along Mt Eden Road.
- 8.2.4 Once rehabilitation of the quarry is nearing completion and the land is ready for development, this bund will be progressively removed and the new development proceed.
- 8.2.4 A question was raised by the Council over reverse sensitivity issues. By the time the bund is removed, all quarrying operation will have ceased and hence there will be no reverse sensitivity issues.
- 8.2.5 The assessment criteria particularly refer to the bund being removed “at a time when redevelopment of that part of the land is ready to proceed”.
- 8.2.6 The intention of Fletcher is to progressively remove the bund immediately prior to construction of new development proceeding. This will maximise the time at which properties adjacent to the development are screened from rehabilitation works.

### 8.3 Stormwater

- 8.3.1 At the Council’s request, criteria (ii) of the stormwater aspect is amended to refer to the diagram by reference number. Currently the plan refers to the “stormwater management plan set out below”. Due to the size of the diagram it actually appears on the following page. Consequently the stormwater management plan diagram is numbered as F08 84(d) and the wording in criteria (ii) amended accordingly.
- 8.3.2 Additional criteria is added to the stormwater section to take account of the request from the Council on elements of stormwater management. In particular the criteria now includes encouragement of the use of :
- rain gardens and tree pits;

- low contaminate generating roofing material.

8.3.3 The stormwater criteria have been strengthened by assessing the degree to which any 'planned unit development' or other proposal gives effect to the stormwater management concept plan shown in F08 84(d). The plan recognises that over time this plan may be modified but requires any such modification to achieve a similar or better water quality outcome.

#### 8.4 Urban design and landscaping

8.4.1 An amendment is made to the criteria under 'Urban Design and Landscaping' at the Council's request to make it explicit that quality pedestrian walkways and cycleways connecting to public transport routes should also include the primary bus stops shown on the Concept Plan.

8.4.2 The Council has requested that certain elements dealing with urban design and landscaping should be included on the Concept Plan F08:84(a). Elements have been added to the Concept Plan which show:

- the location of the maunga;
- the location of the town centre;
- the northern walkway connection from Mt Eden to the maunga;
- the town centre plaza;
- bush landscaping on the eastern flank of Te Tatua a Riukiuta.

#### 8.5 Active Street Edges Adjacent to the Town Centre.

8.5.1 Properties on the northern side of Grahame Breed Drive immediately adjacent to the town centre and the Fickling Centre are zoned Residential 8B but intended for active uses at street level.

8.5.2 To give effect to this, the following has been implementing:

- (a) an "active uses at street level" identification has been introduced into Diagram F08-84(a) Concept Plan;

- (b) a new activity status has been introduced making residential units within an area identified as “an active use at street level” a discretionary activity;
- (c) new assessment criteria have been introduced as follows:

8.5.3 The assessment criteria is included within the plan change as follows:

*“Active use at street level*

*For the area identified on Concept Plan “F08.84(a), the extent to which the proposal provides for the provision of active uses at street level. Including:*

- (i) the location of retail, restaurants, cafes and other eating places within the defined street level floor space;*
- (ii) the integration of these activities with the street and public spaces including outdoor seating and dining areas;*
- (iii) the degree to which the activities provide visibility into the business activity and give a sense of connection with the street;*
- (iv) the creation of outdoor dining and plaza areas which enable outlook of the street, public spaces and views;*
- (v) the extent to which lobby and other access spaces to the upper and lower floors within buildings has been successfully integrated with retail and food and beverage activities;*
- (vi) the degree to which access to parking is managed so as to prevent parking spaces being visible from street level and only the required access to parking decks below street level provided;*
- (vii) the provision of loading facilities on street so as to minimise the non-retail activity at street level.*

*For the purposes of this assessment control, active uses at street level include*

- dairies,*
- retail,*
- restaurants, cafes and other eating places,*

- *lobby access to the upper and lower floors of buildings*
- *necessary vehicle access to parking decks in other parts of the building,*
- *public through site links,*
- *outdoor dining, eating and viewing areas.”*

## **9.0 MATTERS OF DISCRETION**

9.1 The ‘planned unit development’ is the planning method used within the Residential 8B zone to provide the Comprehensive Development Plan/Structure Plan/Master Plan for the Concept Plan area. Different terminologies are used in different sections of the Auckland Council Operative District Plan. The new proposed Auckland Unitary Plan adopts the term Framework Plan.

9.2 The ‘planned unit development’ is the term and process adopted by the Residential 8b zone of the Operative District plan : Isthmus section. It is designed to set the planning framework and manage the infrastructure, public spaces, and development sites.

9.3 The private plan change request identifies ‘planned unit developments’ as a restricted discretionary activity.

9.4 The full assessment criteria include:

- building
- urban design and landscaping;
- Te Aranga principles
- Active edges at street level adjacent to the Town Centre.
- rehabilitation of land
- stormwater;
- wastewater;
- transport;

9.5 It is normal for ‘planned unit developments’ to precede physical building development. However, Fletcher acknowledges the Council’s feedback that it is possible for a planned unit development to concurrently include buildings. Consequently the ‘buildings’

assessment criteria have been added to the criteria which would apply to 'planned unit developments'.

## **10.0 ZONING**

- 10.1 The Council has sought clarification over the zoning of roads around the sportsfield. This Private Plan Change request has followed the methods within the Auckland Council Operative District Plan: Isthmus Section which this plan change relates to. That district plan does not zone vested roads, and rather applies a relevant underlying zoning to future notional roads. The plan does not contemplate or have controls for unzoned land. To leave roads unzoned prior to vesting would leave them outside any planning control.
- 10.2 Consequently the plan change applies an underlining zoning to this area until such time as the roads are eventually vested in the Council.
- 10.3 The Operative District Plan zones a series of walkway entrances to the western area from Fyfe Avenue and Smallfield Avenue as Residential 6A.
- 10.4. The Council has requested Fletcher to include the zoning of these entrance strips as Open Space 2 and to include this within the plan change.
- 10.5 Fletcher accepts this request. Open Space 2 is the zoning of the open space these walkways give access to. It is logical to undertake this rezoning.

## **11.0 THREE KINGS PLAN**

### **11.1 Alignment with the Three Kings Plan**

- 11.1.1 In June 2014, the Council released the "Three Kings Plan". This is the final version of what was previously called the Three Kings Precinct Plan.
- 11.1.2 Section 25 of the 31 August Tattico planning report sets out an analysis of this private plan change against the key moves contained within the Three Kings Plan.

11.1.3 At the Council's request, Diagram F08-84a Concept Plan has been modified to provide contextual information about certain elements identified on this Three Kings Plan.

11.1.4 This includes:

- the town centre;
- the intended prime connection from Mt Albert Road through to Grahame Breed Drive and out to Mt Eden Road;
- the potential for a plaza which may sit adjacent to the Fickling Centre.

11.1.5 Assessment criteria have been introduced on buildings evaluate the degree to which the active spaces integrate with any future plaza developed as part of the Three Kings Plan.

11.1.6 Changes have been made to the Private Plan Change Request to further reinforce elements of the Three Kings Plan, these include:

- the creation of active street edges adjacent to the town centre;
- the requirement to integrate these spaces with any future plaza;
- dimensioning of view corridors;
- a series of criteria which address matters of:
  - rehabilitation of former quarry land;
  - infrastructure including stormwater, wastewater and transport;
  - urban design and landscaping;
  - buildings;

## 11.2 **Graham Breed Drive open space**

11.2.1 The only significant area of non-alignment between the final Three Kings Plan and the proposed Private Plan Change is the location of the open space area on Grahame Breed Drive. The Three Kings Plan has settled on an open space area immediately north of the existing town centre and to the west of the plaza area. The private plan change proposal shows the open space area immediately to the east of the plaza area.

- 11.2.2 Fletcher is fully supportive of creating a major visual open space as part of this development. This is a key part of the master plan for the Three Kings area as shown in the dKO report of 1 August.
- 11.2.3 Fletcher's early iteration of the master plan showed a major open space area west of the plaza in the current location suggested in the Three Kings plan.
- 11.2.4 The Council urban design team undertook an analysis of the merits of this location and requested Fletcher to relocate the open space to the east of the plaza, and to place a building on the western side.
- 11.2.5 The reason for this was that:
- (a) The belief that there should be an active edge along both sides of Grahame Breed Drive to activate the street and make this an integral part of the town centre. Uses such as food and beverage activity at street level was envisaged to enable people to get to the northern side of the building and enjoy the views. This was particularly at the eastern end of this building where it integrated with the stairway access to the Riu.
  - (b) The dominant viewshaft through the line of London plane trees that could be achieved from the Three Kings green immediately north of the art deco Council building on the corner of Mt Eden Road and Mt Albert Road. This was seen as the dominant viewshaft and one that would connect the greenspaces of the Three Kings field (Three Kings green), the new sportsfield, and the maunga.
- 11.2.6 Fletcher accepted the Council's request and redesigned the master plan to align the dominant open space and view corridor to the east.
- 11.2.7 Fletcher's urban designers agreed with the principles outlined by the Council's urban designers. The eastern open space does give strong and dramatic connection between the green, the sportsfield and the maunga. It will create extensive views from Grahame Breed Drive as people enter the town centre or Fickling Centre from Mt Eden Road. These views are more extensive than the western option.



11.2.8 The fundamental planning issue is whether the approach should be to create active edges along Grahame Breed Drive with retail related uses at ground level, or whether to leave the town centre on the southern side of Grahame Breed Drive only with dominant views to the north to the maunga.

11.2.9 Fletcher has advanced this private plan change request on the basis of the Council's urban designer's feedback on the draft Private Plan Change. However it does record that, should the eventual Council decision be a preference for the western open space and view corridor and a substitution of the building envelope from the current western area to be relocated to the eastern area, then Fletcher would agree this variation to the zoning.

## **12.0 MASTER PLAN**

### **12.1 Plaza**

12.1.1 The Council has sought clarification around how the plan change will ensure the plaza is focal point of the town centre.

12.1.2 The Private Plan Change achieves this by:

- (a) identifying the plaza location on the Concept Plan;
- (b) the plaza area will be retained in Council ownership and so the Council will have ultimate control over this area;
- (c) to activate the plaza, the new "active uses at street level" identification and controls are included within the plan. This focuses retail and food and beverage open space, outdoor dining and public viewing areas at plaza level.

12.1.3 The plaza, being on Council land, ensures the Council has ultimate control over the timing and function and form of the plaza area.

## 12.2 Transport

- 12.2.1 The transport related aspects of the Fletcher proposal are set out in the report of Traffic Design Group and the additional letter from Traffic Design Group appended to this report.
- 12.2.2 The Council has raised three transport related planning matters.
- 12.2.5 Firstly the Council has sought comment on travel demand management as identified within the plan change. Effectively the Council is suggesting that a lower parking ratio may be appropriate given the travel demand management opportunities on the site.
- 12.2.6 The plan change as set up relies on the standard parking controls for the Operative District Plan: Isthmus Section. It would be inappropriate for Fletcher to change these city wide rules.
- 12.2.7 For the reasons set out in the report by Mr Richards of Traffic Design Group, Fletcher is promoting traffic design management approaches for the Three Kings area which should reduce parking below that which is required under the current District Plan rules.
- 12.2.8 All buildings within the plan change area are controlled activities and will be assessed against a range of assessment criteria including transport.
- 12.2.9 Amendments have been made to the assessment criteria for buildings to explicitly refer to opportunities to reduce the standard level of parking recognising the location on a major public transport route .
- 12.2.10 Secondly the Council has sought clarification over what would happen with changes to proposed road alignments or roading configuration after the approval of a planned unit development.
- 12.2.11 The core roads are identified on the Concept Plan.

12.2.12 Prior to any subdivision or significant development of the site, a planned unit development is required. This planned unit development gives effect to the Concept Plan and sets out key infrastructure elements including roading. This is a restricted discretionary activity.

12.2.13 Subdivision for the purpose of creating lots for infrastructure including roading and subdivision consistent within approved planned unit development is a controlled activity.

12.2.14 The only infrastructure works that are permitted activity are those which are consistent with the Concept Plan.

12.2.15 Development inconsistent with the Concept Plan or planned unit development would require a fresh resource consent, or a variation to the by then existing consent. Consequently any proposal which is inconsistent with the Concept Plan or is inconsistent with a planned unit development will require resource consent and be subject to the evaluation under the plan changes assessment criteria.

12.2.16 Thirdly the Council has sought clarification on the mechanisms to provide rear lanes to some of the townhouse/terrace house typologies.

12.2.17 Fletcher envisages using the common techniques applied to this form of housing across Auckland. The rear lanes would be owned by the land owners who are serviced by that lane. This would normally be in some form of body corporate structure. For the avoidance of doubt, Fletcher recognises that this would be private land and not public land vested in the Council.

### 12.3 **Reverse Sensitivity sportsfield**

12.3.1 The Council has requested confirmation of the treatment of reverse sensitivity issues to the sportsfield.

12.3.2 Despite clearly complying with the District Plan noise requirements, it is confirmed that Fletcher will register no complaints covenants on the title of all apartments which directly face onto the sportsfield. These will be in the form used by the Council in places like Wynyard Quarter, Britomart and Quay Street.

12.3.3 Attached is a report by Marshall Day dealing with noise issues and demonstrating that compliance with the District Plan noise controls can be achieved.