

## BEFORE THE AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL

**IN THE MATTER** of the Resource Management  
Act 1991 and the Local  
Government (Auckland  
Transitional Provisions) Act 2010

**AND**

**IN THE MATTER** of Topic 081e Rezoning and  
Precincts (Geographical Areas)

---

### FLETCHER CONSTRUCTION DEVELOPMENTS THREE KINGS PRECINCT FACTSHEET

**29 March 2016**

---

The purpose of this document is to address commonly asked questions regarding the Fletcher Construction Developments (**Fletcher**) proposal for Three Kings Precinct.

|          |  |
|----------|--|
| <b>Q</b> | <b>What does the Three Kings precinct provide for?</b> |
|----------|--|

|          |   |
|----------|---|
| <b>A</b> | The Three Kings precinct provisions are the first stage in a three-step process. The precinct provisions provide a suite of objectives, policies, rules and criteria which enable the comprehensive redevelopment of the former Three Kings Quarry. |
|----------|---|

The second stage will include applications for framework plans to seek resource consent for activities including roads, earthworks, infrastructure and subdivision.

The third stage comprises the resource consents required for *all* buildings within the precinct as a restricted discretionary activity. The provisions provide detailed assessment criteria against which these later resource consents will be considered.

Attached to the Three Kings Design Guidelines is an indicative masterplan. Fletcher intends to develop the site in general accordance with the masterplan. The masterplan does not represent the form of final design because, as explained above final designs are a matter to be detailed in further consents. The masterplan provides an indicative layout for the future development. The precinct provisions include assessment criteria which will control this future resource consent process.

The Three Kings Design Guidelines is a non-statutory annexure to the plan which helps inform all resource consents. It effectively says that development in accordance

with the guidelines would satisfy the assessment criteria of the Unitary Plan. However, and correctly, because this is a ten year development, it recognises the need for some flexibility and that there would be other detailed design solutions which would still meet the objectives, policies, rules and assessment criteria of the PAUP.

**Q What is the intended housing yield?**

**A** Fletcher has committed to a maximum of 400 dwellings in the riu (valley floor) and a total of 1500 dwellings in the precinct as a whole, which includes the Special Housing Area (SHA) on Mt Eden Road. Rule 3.2 in the precinct provisions states these maximum numbers and brings certainty to the overall density.

**Q How does height work in relation to the development?**

**A** Building height is controlled by Rule 5.1 and Map 1: Building Height in the precinct provisions. The maximum height is stated as a maximum above the identified RL (Relative Level). In the riu (valley floor) this is 14.5m above RL 64.

All building heights in the riu have been set based on a common RL of 64 metres. However, actual ground levels will slope down from the RL of 64m to provide for natural stormwater drainage and to allow for other gravity fed infrastructure services.

The proposed site levels in the quarry floor therefore range from RL 64 at the northern end and reducing to 61 metres at the southern end of the riu. They drop to a minimum of RL 59 metres at the playing fields. See attached indicative RL plan (**Attachment A**).

The final RLs in the riu will be controlled by the following parameters; the Building Height Control (with a maximum of 78.5m) and stormwater constraints will determine the minimum fill. Fletcher has agreed to a minimum finished ground level for residential development sites in the riu of RL 60. See amended rule 5.1 in Mr Duthie's revised precinct provisions.

**Q What will be built on Superlot G?**

**A** Superlot G is located in the Western Open Space area. The maximum building height is RL82 +7.3m. RL82 is the level at the boundary of Superlot G and the adjacent residentially zoned land to the south. This land has a slight fall and RL82 represents a mid-point. This residential land has a maximum height of 8m.

This provides a building “envelope” within which it could be possible to build up to 5

storeys. Any building within Superlot G and the final design will be the subject of a future resource consent process. These resource consent criteria provide extensive assessment criteria relating to building design and quality.

**Q What is the existing open space within the precinct and what is proposed?**

**A** In terms of the quantity of open space, 8.03ha of open space (or 37% of the total site) will be provided as part of the development. This represents an increase in open space when compared to the existing crown owned open space area of 6.1ha. This is not a qualitative assessment of the existing useable open space compared with the proposed.

Generally masterplan development provides for a combination of public open space, communal open space, and private open space. There are extensive areas of public open space provided for within the precinct.

**Q What is Fletcher proposing by way of communal open space?**

**A** The precinct adopts the underlying zone controls and assessment criteria for communal and private open space.

Typically terrace house typologies will be provided with private open space courtyard areas, and apartments with private open space balconies. Areas of communal open space will also be provided for the apartment buildings. At the very least, these will meet the assessment criteria of the PAUP.

All communal open space will be assessed by Council when restricted discretionary activity resource consent applications are made.

**Q Is the Maunga an Outstanding Natural Feature (ONF) and Outstanding Natural Landscape (ONL)?**

**A** The open space of the maunga is recognised (delineated in the Unitary Plan maps) as an ONF and not an ONL.

**Q How will the development respect the Maunga/ONF?**

**A** The Fletcher proposal has been designed so as to pay respect to the maunga in the following ways:

- (a) The objectives and policies of the precinct identify and protect the importance of the maunga.

- (b) No part of the concept plan or the development intrudes into the defined outstanding natural feature.
- (c) The full regional and district objectives, policies, rules and assessment criteria relating to outstanding natural features apply to the precinct.
- (d) Five new sightlines to the maunga are introduced into the precinct. This is despite the fact that no view corridors from the south or east of the maunga were proposed in either the regional study of volcanic view corridors undertaken in 2009/10 or included within the PAUP. These are new sightlines.
- (e) The eastern flank of the maunga has had the noxious weeds removed and will be revegetated with some areas of exposed rock also retained.
- (f) This eastern flank will be zoned Open Space, and as a result of several hui held with mana whenua, will vest in Tupuna o Taonga o Tamaki Makaurau – the land owning trust of the Tamaki Collective (Tupuna Maunga Authority) targeted at the volcanic cones.
- (g) The planning controls and height restrictions in the riu ensure that the roofline of homes within the area will effectively be no higher than the level of the road at the intersection of Mt Eden Road and Kingsway Avenue. This means that no development in the riu comes above the base of the maunga.

**Q Where will the whare manaaki be located?**

**A** Through the hui process, Fletcher has committed with Mana Whenua to facilitating the development of a whare manaaki on the site. The proposed precinct provisions enable the whare manaaki to be provided for within a defined area in the precinct.

The Council has agreed with Fletcher and iwi that two alternative locations for the whare manaaki should be shown on the precinct plan. Having an alternative location was a matter raised by Ngati Te Ata and Ngati Tamaoho in the appeal to PM372 (which supports PM372 but seeks amendments to certain provisions). See the amended precinct plan in Mr Duthie's revised precinct provisions.

Of the two identified locations, the original location is the only site that Fletcher can guarantee and provide for iwi (because it owns the land). The alternative location to the west would need to be subject to a separate process with Auckland Council relating to occupancy of the land. From Fletcher's perspective, the final decision as to its location will be for mana whenua to make in conjunction with the Council as landowner.

If iwi reach agreement with Auckland Council to build the whare manaaki in the alternate location, the land on which the current proposed whare manaaki stands will still transfer to Te Puna o Taonga o Tamaki Makaurau.

**Q Why do Fletcher wish to include wetlands in their proposal?**

**A** At one point Fletcher took to iwi a proposal for a lake or lakes to be formed within part of the riu. Through the hui, iwi gave very clear feedback that their strong preference was for a series of wetlands. This was primarily for cultural reasons around the mauri of the water, to embody the belt of Te Tatua, and for reasons for stormwater management. Fletcher fully agreed this approach with iwi. Fletcher recognised the cultural importance of including wetlands in the precinct (not only as a stormwater infrastructure device). Fletcher is committed to providing wetlands in the development, these have multiple values in addition to any stormwater management function including recreational open space and the location for walkways, ecological enhancement, educational opportunity and visual outlook amenity. See Precinct Plan 3 – Stormwater Management Concept Plan.

**Q Will pumping for purposes of dewatering continue when the former quarry is filled as part of the development?**

**A** Fletcher is required to comply with the conditions of the Environment Court Fill Consent ([2011] NZEnvC 214). Subject to meeting the requirements of that consent Fletcher does not intend to continue groundwater pumping for the purpose of dewatering after the stormwater management system has been commissioned.

The Fill Consent (Resource Consent 31762) allows a maximum daily water take of 7550 cubic metres for dewatering and dust suppression.

If pumping is required for the successful operation / maintenance of the wetland this water would flow back into the same aquifer. Flow rates for the wetland are expected to be considerably lower than the existing consent for dewatering within the quarry.

**Q How are potential aquifer contamination issues addressed, particularly when dewatering ceases?**

**A** Matters relating to the filling of the quarry and cessation of dewatering (including the effects of groundwater returning to natural levels) were addressed in detail during the Environment Court process for the Fill Consent and are the subject of detailed consent conditions ([2011] EnvC 130 and EnvC 214).

All fill materials have been placed on the site in accordance with those consent conditions and future development areas will be assessed in terms of the NES CS and any other relevant regulatory requirements. All relevant contaminated land requirements will be complied with to ensure that the land is suitable for the proposed land use.

**Q Will Fletcher cut into the existing haul road Maunga slope to create the new northern access road?**

**A** No.

**Q Does the existing haul road comply with the 1915 legislation?**

**A** Historical compliance or otherwise with the Reserves and other Lands Disposal and Public Bodies Empowering Act 1915 (1915 Act) is irrelevant to the PAUP process. Just as matters relating to the Building Act 2004, or any other legislation, are not relevant nor is the 1915 Act.

The 1915 Act includes a specific restriction on the use of the slope of a volcanic cone within the Auckland Area. Fletcher accepts that the 1915 Act will apply to that part of the former quarry that is adjacent to Te Tatua a Riukiuta. However, the precinct provisions will not enable works of any kind that could be considered an excavation, quarry, terrace or cutting on the side or slope of the Maunga so as to trigger the requirements under the 1915 Act.

Notwithstanding this, for the avoidance of doubt, it is confirmed that the existing Haul Road does comply with the 1915 legislation.

**Q Is there room for Fletcher to undertake planting on the haul road as envisaged by the precinct provisions?**

**A** Yes. There will be planted banks above and below the haul road. See assessment criteria 3 (Urban Design and Landscaping) and 4 (Te Aranga Maori Design Principles) in the precinct provisions.

**Q What works are proposed for Grahame Breed Drive?**

**A** The main changes to Grahame Breed Drive will be ancillary works such as footpath and berm improvements and cycle way provision. The road will continue to be one lane in each direction.

The intersection with Mt Eden Road is outside the precinct boundary but further

information has been provided on the updated masterplan.

All required transport improvement works must be agreed with Auckland Transport as part of the future resource consent process.

**Q Has there been consultation by Fletcher on the proposed development?**

**A** Fletcher's plan has been developed in consultation with local residents, Auckland Council, the Puketapapa Local Board, 13 iwi groups, local schools, and sporting, historic and community organisations. Fletcher held two public open days, workshops, public meetings, one-on-one meetings and written communications. Fletcher will continue to share information about its plans and progress and seek stakeholders' views.

The development has benefitted from stakeholder input since November 2012. The consultation undertaken over this period has resulted in numerous improvements to the masterplan.

Significant consultation over the past two years has included:

- Two Open Days for the public to view the development plan and ask questions of Fletcher employees (February 2014 and November 2014).
- Participation in the Council's consultation process to develop The Three Kings Plan (June 2014).
- Meetings with Auckland Council parks, planning, urban design and storm water departments to develop robust infrastructure plans.
- Meetings with Auckland Transport and Watercare Services.
- Public meetings, workshops, one-on-one meetings and written communications with local residents, schools, sports clubs and other community groups.
- Multiple Hui with the six primary iwi who have an interest in Te Tatua a Riukiuta (Big King).

Communication with the Tamaki Collective to ensure all 13 iwi are appraised of the proposal and have had the opportunity to be a part of the process.

**Q Have other alternatives been considered as part of this process by Fletcher?**

**A** The masterplan tabled as part of this hearing represents the 26<sup>th</sup> version of the plan.

These changes have been brought about as part of the significant engagement

process Fletcher has had throughout this process. Key elements which have driven debate over the various options have been:

- (a) Feedback from the Council both in its planning role, land ownership, and infrastructure and transport manager.
- (b) Feedback, discussions and development of options through the Three Kings precinct plan (later called precinct plan) process undertaken by the Puketepapa Local Board and Council. This looked at a wider Three Kings area but included the former quarry lands.
- (c) Multiple hui with iwi and fundamental discussions over cultural factors, landform, landscape, planting, and water.
- (d) Input from the broader project team.
- (e) Input from key stakeholders including Housing New Zealand, Antipodean (owners of the adjacent town centre), the local school, and utility providers.

**Q Are there any infrastructure issues?**

**A** No. All infrastructure can be successfully engineered, managed or provided as part of the development enabled by the precinct provisions. This includes geotechnical, stormwater, wastewater, contamination, utilities and water.

It should be noted that concurrent with this Unitary Plan process, the parties have been in mediation over appeals to the Environment Court on Plan Change 372. This is a corresponding concept for Three Kings under the Operative Plan. So as to assist the Hearings Panel, we record that at that mediation there was agreement between the parties that whether the former quarry was filled to the Fletcher proposal of RL64 to RL59, or filled essentially to Mt Eden Road level as proposed by the South Epsom Planning Group and Three Kings United, in either case the infrastructure would work. The issues in dispute are planning and urban design factors rather than infrastructure issues.

**Q What is the relevance of the Council's land swap decision?**

**A** A separate hearing process considered the application by Fletcher under the Reserves Act 1977 for the exchange of lands within the Three Kings precinct. A decision dated 15 October 2015 recommended that the Minister of Conservation authorise the exchange, subject to excluding two areas of land. This was a separate hearing process under different legislation with different statutory tests to the matter now before the Panel.



Fletcher has accepted the recommendations of the Commissioners relating to the land swap in its entirety and including the removal of proposed development (Superlot F) on the Western Open Space. The issues in relation to the land swap have therefore already been decided.

**Q      What is the relevance of the condition 77 of the Environment Court Fill Consent?**

**A**      On a number of occasions SEPG and TKUG have raised questions about Fletcher's compliance with condition 77 of the 2011 resource consent granted for the filling of the Three Kings quarry with managed cleanfill by the Environment Court.

Compliance or otherwise with the Fill Consent are matters for enforcement and are not relevant to the Panel. Notwithstanding this, for the avoidance of doubt, Fletcher is fully compliant with condition 77. Fletcher considers the levels in the Fill Consent are maximum levels that the former quarry can be filled up to. The final contours could be much less. Condition 77 requires a final contour plan to be submitted to the Council.



MASTERPLAN 18H1 Rev A

Finished Levels and Slopes





## Attachment B: General information about the development

| Item                          | Number  | Comments   |
|-------------------------------|---|--|
| <b>Name</b>                   | Three Kings Quarry Development  |  |
| <b>Area</b>                   | Fletcher land: 15.2ha<br>Crown land: 6.4ha<br>Total Option 15H-1 area: 21.6ha   | Includes Council Depot in total for Precinct Plan but not Land Swap.   |
| <b>Land swap</b>              | Fletcher land 2.67 hectares swapped for Crown/Council land 1.6 hectares   |  |
| <b>Open space</b>             | Total open space now: 6.1ha<br>Total open space if proposal approved: 8.03ha (37% of total site)  | Existing open space of a low quality and usability. Poor surveillance, hard to access etc.                           |
| <b>Dwellings</b>              | 1200 – 1500 units in total with a range from 1 bdrm apartments through to 3bdrm apartments and 3bdrm terraced homes.<br>Maximum 400 dwellings in the Riu. | Current design is at the bottom end of this range.<br>The 1200 to 1500 units includes the Special Housing Area (SHA) |
| <b>Cascade Apartments</b>     | Mt Eden Rd access @390<br>Grahame Breed access @310<br>Approx. 700 total  | Dependent on final design  |
| <b>People</b>                 | 3420 – 4275   | Dependent on final design  |
| <b>Commercial</b>             | adjacent to plaza 1,000 sqm   |  |
| <b>Natural Groundwater RL</b> | RL 56.5m  | Governed by storm water requirements   |

| Item                        | Number   |   | Comments  |
|-----------------------------|--|---|---|
| <b>Minimum floor levels</b> |  | RL 61.5m  | For habitable floors only. Basement carparking could be lower than the minimum if flood-mitigation (i.e. ramp crest and all penetrations into basement are above the minimum level) |
| <b>Mt Eden Rd RL</b>        | In north<br>At Grahame Breed   | RL 80m<br>RL 75m  |   |
| <b>Grahame Breed RL</b>     | at Mt Eden Rd<br>at peak<br>at Plaza   | RL 75m<br>RL 80m<br>RL 75m  |   |
| <b>Te Tātua a Riukiuta</b>  | at Peak  | RL 129m   |   |
| <b>Design Levels</b>        | in North<br>in playing field<br>Western Open Space<br>Road around field              | RL 64m<br>RL 59m<br>RL 72-82<br>RL 60mRL to 61.6m RL  | Western open space design levels to manage accessibly grades from entry at Smallfield Ave (RL 82) to GBD extension (RL72)   |
| <b>Fill</b>                 | Max depth<br>Start to design<br>To date complete<br>To complete<br>Monthly<br>Approx | 28m<br>1.6 mill m <sup>3</sup><br>0.4 mill m <sup>3</sup><br>1.2 mill m <sup>3</sup><br>60,000 tpm<br>3 yrs to complete | 3.2 million tonnes<br>0.8 million tonnes<br>2.4 million tonnes  |

| Item             | Number   | Comments   |
|------------------|--|--|
| Gradients        | GBD extension: Avg= 3.5%, steepest = 6%          |  |
|                  | Plaza Ramp 1m V : 12.5 H or 8%                   |  |
|                  | Smallfield access ramp 1m V : 25m H or 4%        |  |
|                  | Maunga Path                                      |  |
|                  | Path Segment A. 1m V : 20m H or 5%               |  |
| Stairs           | Plaza Stairs: 90 risers at 175mm V and 310mm H   |  |
|                  | Kingsway Ramp: 100 risers at 140mm V and 735mm H |  |
|                  |  |  |
| Carparks         | Existing   | 139 spaces within Council car park on northern side of GBD.                |
|                  | Proposed   | 146 spaces associated with the sports fields. Further car parking provided |
| First Occupation | SHA  | 3rd Quarter 2016   |