



Proposed Plan Change 120: Housing Intensification and Resilience (PC120)

to the Auckland Unitary Plan (Operative in part)

Section 32 and Schedule 3C of the Resource Management Act 1991 for qualifying matter:

Special Character Areas Overlay – Residential and Special Character Areas Overlay – General

EVALUATION REPORT

Table of Contents

Executive summary	3
1. Introduction	7
2. Integrated evaluation for qualifying matter/planning constraint	8
3. Issues.....	15
3.1 Special Character Areas Overlay – Residential	15
3.2 Characteristics of the SCA Overlay.....	16
3.3 Key issues the proposed qualifying matter raises	17
4. Objectives, policies and rules (existing).....	17
4.1 Additional evaluation for the SCA Overlay as a qualifying matter – site-specific analysis ...	20
4.1.1 Identify the specific characteristic that makes the level of development inappropriate	21
4.1.2 Justify why that characteristic makes the level of development inappropriate in light	
of the national significance of urban development and the objectives of the NPS UD	23
4.1.3 Site-specific analysis.....	23
5. Development of options	27
5.1 Alternative standards or methods	29
5.2 Consequences for development capacity.....	34
5.3 Evaluation of options	35
5.4 Analysis of options	43
5.5 Amendments to the SCA Overlay where it is not a qualifying matter (outside Policy 3 areas)	
45	
5.6 Proposed changes to AUP to accommodate the qualifying matter and planning constraint	
46	
5.7 Risks or acting or not acting.....	49
5.8 Effectiveness and efficiency.....	50
5.9 Description of how the qualifying matter is to be implemented	50
5.10 Overall conclusion	50
Information Used	52
Consultation summary.....	52

Executive summary

This section 32 report addresses the Special Character Areas Overlay – Residential and the Special Character Areas Overlay – General (**SCA Overlay or overlay**) as both a qualifying matter and as a planning constraint. The SCA Overlay is present across residential urban zones in Auckland’s urban environment, mainly sites that are within the Residential – Single House Zone (**SHZ**).¹ The overlay is a qualifying matter where it is located within areas identified in Policy 3 of the National Policy Statement on Urban Development (**NPS-UD**) (**Policy 3**). In residential areas outside of Policy 3 areas, the removal of the Medium Density Residential Standards (**MDRS**)² means that qualifying matters no longer need to be specifically tagged as such in these areas. Therefore, outside Policy 3 areas, the overlay is now considered as a planning constraint.

The Special Character Areas Overlay – Business applies predominantly to business urban zones, but that qualifying matter is the subject of a separate section 32 report for PC120.

The SCA Overlay identifies, maintains and enhances the special character values of specific residential areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region. The areas identified include older established suburbs (or parts of suburbs) that represent the early European settlement of Auckland. Building heights within the areas is predominantly one and two storeys. The overlay has been identified managed in district plans as an important value for Aucklanders for over 30 years.

The SCA Overlay is identified as a qualifying matter under section 77I(j) of the Resource Management Act 1991 (**RMA**) as any other matter that makes higher density, as provided for by clause 4(1)(b) or (c) of Schedule 3C of the RMA (**clause 4(1)(b) or (c)**) or Policy 3, inappropriate in an area, but only if but only if subclause (4) of clause 8 of Schedule 3C is satisfied. Clause 8(4) requires a section 32 report to provide more analysis of the qualifying matter, including a site-specific analysis.

Clause 4(1)(b) and (c) and Policy 3 set out specific height and density requirements that must be enabled in a district plan. These requirements direct building heights and/or densities of at least:

- a) 15 storeys in the walkable catchments of the Maungawhau (Mount Eden), Kingsland and Morningside train stations (clause 4(1)(b))
- b) ten storeys in the walkable catchments of the Baldwin Avenue and Mount Albert train stations (clause 4(1)(c))
- c) six storeys within at least a walkable catchment of: other existing and planned rapid transit stops; the edge of city centre zone; and the edge of metropolitan centre zones (Policy 3(c))

¹ Areas in the Special Character Areas Overlay – General may contain a mix of sites zoned residential or business, but predominantly include residentially-zoned sites. Within the General areas, for any site(s) in a residential zone, the Special Character Areas Overlay – Residential provisions apply and for any site(s) in a business zone, the Special Character Areas Overlay – Business provisions will apply.

² Medium Density Residential Standards means the requirements, conditions and permissions set out in Schedule 3A.

- d) within and adjacent to neighbourhood, local and town centre zones, building heights and densities of urban form commensurate with the level of commercial activity and community services (Policy 3(d)).

The SCA Overlay is present in all the areas identified in clause 4(1)(b) and (c) and Policy 3, and also in other parts of Auckland's urban environment. Properties subject to the SCA Overlay (both those that are a qualifying matter and those that are not) are shown by the Special Character Areas Overlay – Residential and Business in the PC120 map viewer (a blue outline and a pattern of square blue dots).³

In PC120, all areas subject to the SCA Overlay have been identified and evaluated considering the factors set out in the Regional Policy Statement (**RPS**) section of the Auckland Unitary Plan (Operative in part) 2016 (**AUP**).⁴ Each special character area is supported by a special character area statement, which identifies the key special character values of the area. These statements can be found in Schedule 15 Special Character Schedule, Statements and Maps (**Schedule 15**) in the AUP.

The AUP contains objectives and policies at both regional⁵ and district⁶ levels. These provisions seek to maintain and enhance the values of special character areas and avoid, remedy or mitigate the adverse effects of subdivision, use and development on the identified special character values of an area. In addition to the provisions of the underlying zone (SHZ), Chapter D18 Special Character Areas Overlay – Residential and Business (**Chapter D18**) sets out rules to manage development activities within the overlay. The provisions of Chapter D18 and the SHZ manage height (up to two storeys) and density (up to three dwellings per site⁷) as permitted standards, in order to maintain and enhance the special character values of the overlay. All new buildings within the overlay require resource consent as a restricted discretionary activity. There is a restricted discretionary resource consenting pathway available to applicants where buildings are proposed to exceed the permitted height and density provisions (an assessment as to the effects on maintenance and enhancement of the values managed by the overlay would be required).

All areas proposed to be subject to the overlay, both where it is proposed as a qualifying matter and as a planning constraint, have been subject to the relevant provisions of the RMA, including the required site-specific analysis. The site-specific analysis is based on a survey of the special character values of each property within the overlay.

Where the SCA Overlay is a qualifying matter, it is not compatible with the height and/or density requirements set out in clause 4(1)(b) or (c) or Policy 3. PC120 proposes to apply a zoning response in conjunction with the overlay, in the same way that the overlay is currently

³ Note that the map viewer also shows areas subject to the Special Character Areas Overlay – Business in the same pattern of square blue dots.

⁴ AUP B5.3.2(2).

⁵ AUP Chapter B5 Ngā rawa tuku iho me te āhua - Historic heritage and Special Character.

⁶ Chapter D18 Special Character Areas Overlay – Residential and Business, Chapter E38 Subdivision – Urban and Schedule 15.

⁷ Via the conversion of an existing dwelling and the construction of a minor dwelling.

managed in the AUP. Where the overlay is applied in PC120, the SHZ is also applied to nearly all sites.⁸

The SCA Overlay is proposed to be applied as a qualifying matter to 336 hectares (**ha**) across Auckland's urban environment. The overlay is proposed to be applied as a planning constraint to 670 ha across Auckland's urban environment. PC120 proposes to amend the extent of the overlay where it is both a qualifying matter and where it is a planning constraint, so this section 32 report evaluates all the proposed changes.

In PC120, the spatial extent of the SCA Overlay is proposed to be reduced significantly from the operative AUP, so that less land is subject to the overlay. This reduction is based on a site-specific analysis of the overlay and, in the walkable catchments where at least 15 storeys is required, on an approach which sought to restrict the overlay to around ten percent of the land area within each of these walkable catchments.

Where the overlay is not a qualifying matter (outside Policy 3 areas), the site-specific analysis was also applied, and this also led to a proposed reduction in the spatial extent of the SCA Overlay. This proposed reduction in extent results in a lesser number of sites having the SHZ applied to accommodate the SCA Overlay, so helps with the provision of housing capacity across Auckland's urban environment.

At an overall, regional level, applying the qualifying matter as proposed by PC120 will not significantly impact on plan-enabled housing capacity, as the overlay only affects 957ha in total (less than 1% of the total land area subject to PC120). However, this impact is not spread evenly, as the overlay is predominantly applied to the inner suburbs of the Auckland Isthmus. The application of the qualifying matter results in a variable impact on plan enabled housing capacity within the walkable catchments where it is proposed to apply to, as it restricts permitted heights to up to two storeys, rather than up to at least six, ten or 15 storeys. There are 66 walkable catchments, and the overlay is proposed to apply to only 12 of these, however, some of these walkable catchments are some of the most accessible in the region. The impact on housing capacity varies, depending on the location of the qualifying matter and the spatial extent of it:

- a) the impact is greatest in terms of the difference in height enabled within the walkable catchments of the Maungawhau (Mount Eden), Kingsland and Morningside train stations, where the Terrace House and Apartment Buildings Zone (**THAB**) and a Height Variation Control (**HVC**) of 50 metres (**m**) (equivalent to 15 storeys) is proposed for residential sites. Within these walkable catchments, there is 29ha of land proposed to be subject to the SCA Overlay qualifying matter (11% of the 271ha land area within these walkable catchments).
- b) within the walkable catchments of the Baldwin Avenue and Mount Albert train stations, where THAB and an HVC of 34.5m (ten storeys) is proposed for residential site, there is 23ha of land proposed to be subject to the SCA Overlay qualifying matter (11% of the 203ha total land area within these walkable catchments).

⁸ Except for a small number of sites that have an underlying business zone in the Special Character Areas Overlay – General areas and a small number of sites that are zoned Open Space.

- c) within other walkable catchments, where heights of at least six storeys are required, the overlay is proposed to apply to 163ha of land (2.5% of the 6,592ha total land area within these walkable catchments).
- d) within Policy 3(d) areas, where the THAB zone and heights of six storeys are generally applied, the overlay is proposed to apply to 121ha of land).

While the qualifying matter as proposed in PC120 provides significantly less height and density than what is directed by clauses 4(1)(b) or (c) or Policy 3, the typical size of lots subject to the overlay (many are small) and, as noted in the PC120 Overview section 32 report, site amalgamation will likely be required to realise additional height⁹ These factors mean that there is some uncertainty about how plan enabled capacity would be taken up, should the overlay be removed. Several options have been considered, with a focus on reducing the spatial extent of the overlay, as no other alternative standards or methods have been identified to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) or Policy 3.

Where the SCA Overlay is not a qualifying matter, the reduction in the spatial extent of the overlay in these areas will assist in Auckland achieving the same amount of housing capacity as provided for by Plan Change 78: Intensification (**PC78**) to the AUP (as required by clause 4(1)(a) of Schedule 3C of the RMA).

In addition to amendments to the planning maps to reduce the spatial extent of the SCA Overlay, PC120 proposes to amend the AUP provisions to accommodate the SCA Overlay, both as a qualifying matter and as a planning constraint. The amendments proposed to Chapter D18 include references to the qualifying matter, advisory notes, new rules and standards, and new purpose statements for some standards. Amendments are proposed to Schedule 15 which delete some sections and update the text, mainly in response to the proposed changes to the spatial extent of the overlay.

Overall, the qualifying matter is proposed to apply to a small amount of Auckland's residential land. While overall, it does not impose a significant impact, the impact is not evenly spread, and the qualifying matter has a considerable impact within some of the more accessible parts of Auckland. In some locations, the costs and broader impacts of applying the qualifying matter are high in terms of potential housing capacity lost. There are social, economic and environmental costs for all options considered. Given the high costs associated with all options that have been evaluated, determining the most appropriate option for achieving the purpose of PC120 and the provisions of the AUP Chapter B5 and D18 is challenging. On balance, it is considered that the application of the overlay as proposed by PC120 is appropriate because the characteristics of the SCA Overlay are important to the Auckland region. The reduction in development capacity and potential by the qualifying matter is considered to be appropriate and to be the most effective and efficient means of ensuring the values of the SCA Overlay are managed.

⁹ PC120 – Strategic overview section 32 report.

1. Introduction

This report is prepared as part of the evaluation required by Section 32 and Schedule 3C of the RMA for PC120 to the AUP.

The background to and objectives of PC120 are discussed in the overview report, as is the purpose and required content of section 32 and Schedule 3C evaluations.

This report discusses the implications of applying the Special Character Areas Overlay – Residential and Special Character Areas Overlay – General (**SCA Overlay** or **overlay**) as a qualifying matter in relation to the requirements of clause 4(1)(b) and (c) of Schedule 3C of the RMA and the implementation of Policy 3 of the NPS-UD. This report also evaluates the SCA Overlay as a planning constraint, in relation to other changes which are proposed in PC120 that relate to the overlay outside Policy 3 areas.

The Council may make the relevant building height or density requirements of clause 4(1)(b) and (c) of Schedule 3C of the RMA and Policy 3 of the NPS-UD less enabling of development in relation to an area within any zone in an urban environment only to the extent necessary to accommodate one or more of the following qualifying matters that are present:

- (a) a matter listed in section 77I(a) to (i) of the RMA;
- (b) any other matter that makes higher density, as specified by clause 4(1)(b) or (c) of Schedule 3C of the RMA or Policy 3 of the NPS-UD, inappropriate in an area but only if subclause (4) of clause 8 of Schedule 3C is satisfied.

Under clause 8(2) of Schedule 3C of the RMA, the evaluation report required under section 32 of the RMA must, in relation to a proposed amendment to accommodate a qualifying matter under subclause (1)(a) or (1)(b) of clause 8:

- (a) demonstrate why the Council considers:
 - (ii) that the area is subject to a qualifying matter; and
 - (iii) that the qualifying matter is incompatible with the level of development provided by clause 4(1)(b) or (c) or Policy 3 for that area; and
- (b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and
- (c) assess the costs and broader impacts of imposing those limits.

Under clause 8(4) of Schedule 3C of the RMA, the evaluation report required under section 32 of the RMA must, in relation to a proposed amendment to accommodate a qualifying matter under subclause (1)(b) (an "other" qualifying matter), also:

- (a) identify the specific characteristic that makes the level of development specified by clause 4(1)(b) or (c) or Policy 3 inappropriate in the area; and
- (b) justify why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and
- (c) include a site-specific analysis that—
 - (ii) identifies the site to which the matter relates; and

- (iii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and
- (iv) evaluates an appropriate range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) or Policy 3 while managing the specific characteristics.

The spatial extent of the SCA Overlay outside Policy 3 areas is proposed to be reduced through PC120. This proposed change is subject to an evaluation under section 32 of the RMA, which requires an evaluation of the appropriateness of the proposed change.

2. Integrated evaluation for qualifying matter/planning constraint

For the purposes of PC120, evaluation of the SCA Overlay (as both a qualifying matter and as a planning constraint) has been undertaken in an integrated way that combines section 32 and Schedule 3C of the RMA requirements. The report follows the evaluation approach described in Table 1 below.

The preparation of this report has involved the following:

- a) assessment of the AUP to identify any relevant provisions that apply to the qualifying matter and planning constraint
- b) development of draft amendments to the operative district plan provisions of the AUP to implement this matter as a qualifying matter/the planning constraint in accordance with the requirements of Schedule 3C of the RMA
- c) review of the AUP to identify all relevant provisions that require a consequential amendment to integrate the application of this qualifying matter and planning constraint
- d) a site-specific survey of each site within the SCA Overlay to determine its special character values
- e) based on the survey above, a site-specific analysis of the AUP maps to review the spatial application of the overlay as a qualifying matter and as a planning constraint
- f) development of proposed changes to the planning maps to reflect the spatial extent of the SCA Overlay and identify sites subject to particular D18 rules
- g) section 32 options analysis for this qualifying matter and planning constraint and related amendments
- h) amendments to the AUP to accommodate the qualifying matter and planning constraint, where appropriate.

The scale and significance of the issues is assessed to be variable, from small to large, depending on factors including the location of the SCA Overlay.

This section 32/Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Table 1: Integrated approach for any matter specified in section 77I(a) to (i) that is not currently operative in the AUP and any other matter that makes higher density, as specified by clause 4(1)(b) or (c) of Schedule 3C of the RMA or policy 3 of the NPS-UD, inappropriate in an area (this table also addresses the overlay where it is not a qualifying matter)

Standard sec 32 steps	Plus clause 8 Schedule 3C steps
Issue Define the problem- provide overview/summary providing an analysis of the qualifying matter	PC120 proposes to apply the SCA Overlay to residential areas that are located both within and outside Policy 3 areas. Where the overlay is located within a Policy 3 area, it is a qualifying matter. Outside Policy 3 areas, the overlay is a planning constraint. The SCA Overlay manages important special character values that contribute to Auckland's identity. The overlay is applied to residential areas that represent the early European settlement of Auckland. The SCA Overlay contains areas of architectural and other built character value, which illustrate collective and cohesive values, importance, relevance and interest to the locality and wider Auckland region. The characteristics of the overlay, which are described in detail in Schedule 15, are housing types and styles from the late 1800s to the 1940s. These dwellings are predominantly one-to two-storey, set on their original sites, and with the original subdivision pattern (section size and shape, street layout) apparent. The location and extent of sites subject to the SCA Overlay are shown in the PC120 map viewer as a pattern of blue squares. The key problem raised by the SCA Overlay in the context of intensification is the way the values of the overlay are maintained and enhanced. The AUP provisions manage the values of the overlay by limiting height (up to two storeys) and density (up to three dwellings per site and resource consent required for new buildings). The characteristics of the overlay (predominantly one to two storey single house dwellings) mean that development at the levels required by clause 4(1)(b) and (c) and Policy 3 will not enable these characteristics to be maintained and enhanced.
Identify and discuss objectives / outcomes	The RPS objectives and policies that are specific to the SCA Overlay as a qualifying matter and a planning constraint are set out in Chapter B5 of the AUP. The district-level objectives, policies and rules are set out in AUP Chapter D18 Special Character Areas Overlay – Residential and Business (Chapter D18) and Schedule 15. Policies for subdivision in the SCA Overlay are set out in Chapter E38 Subdivision – Urban (Chapter E38).

Standard sec 32 steps	Plus clause 8 Schedule 3C steps
	The provisions of the AUP manage both height and density within the SCA Overlay, in order to maintain and enhance the values of the overlay. Chapter D18 sets out permitted heights within the overlay (10m in Isthmus B and 8m in other overlay areas, so up to two storeys) and provides for density of up to three dwellings per site. New buildings also require resource consent within the overlay. The overlay is a qualifying matter that is incompatible with the level of development directed by clause 4(1)(b) or (c) or Policy 3 for that area. The overlay is a planning constraint outside of Policy 3 areas. As a planning constraint, there are no specific height and density requirements. However, outside Policy 3 areas, the overlay is subject to the provisions of Schedule 3C of the RMA, as clause 4(1)(a) of that schedule requires Auckland Council to provide at least the same amount of housing capacity that would have been enabled if PC78 (as notified) were made operative.
Identify and screen response options	A range of reasonably practicable options for achieving the objectives have been identified and evaluated for the SCA Overlay as a qualifying matter/planning constraint: Option 1 – retain the SCA Overlay and related provisions without amendment. Option 2 – retain the overlay with an amended spatial extent (based on the site-specific survey of special character values) and apply the Single House Zone (SHZ). Option 3 – retain the overlay as per Option 2 but enable the heights and density requirements by not applying the SHZ. Option 4 – reduce the extent of the overlay within the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2. Option 5 – remove the overlay from the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2. Option 6 – remove the overlay from all Policy 3 areas but retain it elsewhere as per Option 2. Option 7 – retain the overlay in Policy 3 areas as per Option 2 and retain the overlay elsewhere without changing the spatial extent (i.e., retain it elsewhere as per the operative AUP). Option 8 – delete the SCA Overlay from all areas. A site-specific survey of the SCA Overlay has been undertaken which has identified the specific characteristics of the SCA Overlay (as a qualifying matter or planning constraint) on a site-specific basis, to

Standard sec 32 steps	Plus clause 8 Schedule 3C steps
	identify the geographic area where intensification needs to be compatible with the qualifying matter. A visual survey of each property subject to the overlay was undertaken, to determine the level of contribution of each site to the special character values of the area it is within.
Collect information on the selected option(s)	The qualifying matter is not compatible with the level of plan-enabled development directed by clause 4(1)(b) and (c) and Policy 3. The SCA Overlay enables permitted development of up to two storeys and up to three dwellings per site (via the conversion of an existing dwelling and construction of a minor dwelling). All new buildings within the overlay also require resource consent. Development in excess of these levels is enabled through a restricted discretionary resource consent but would be assessed to determine whether it would maintain and enhance the values of the overlay. The clause 4(1)(b) and (c) and Policy 3 areas are predominantly proposed to be zoned THAB in PC120, with heights of six, ten or 15 storeys. As a planning constraint, the overlay does not impact housing capacity as required by clause 4(1)(b) or (c) or Policy 3. The level of impact arising from the qualifying matter or planning constraint depends on the location of the qualifying matter (or planning constraint).¹⁰ <i>Walkable catchments of the Maungawhau (Mount Eden), Kingsland and Morningside train stations – at least 15 storeys (clause 4(1)(b))</i> • 29ha is proposed to be subject to the qualifying matter within these walkable catchments (which represents 11% of total land area within these walkable catchments). • Many more sites within the SCA Overlay in these locations were identified by the site-specific analysis as being of high quality. Due to the impact of the overlay on development capacity in these locations, a planning approach was taken to identify around ten percent of the land area within each of these walkable catchments as being subject to the qualifying matter. • Where the qualifying matter is proposed to be applied, enabling development of up to two storeys and up to three dwellings per site within these areas rather than 15 storeys will have a significant impact on plan-enabled capacity/will not achieve the heights and densities required.

¹⁰ The figures in this section are rounded to the nearest hectare or nearest percentage point.

Standard sec 32 steps	Plus clause 8 Schedule 3C steps
	<i>Walkable catchments of the Mount Albert and Baldwin Avenue train stations – at least ten storeys (clause 4(1)(c))</i> • 23ha is proposed to be subject to the qualifying matter within these walkable catchments (which represents 11% of total land area within these walkable catchments). • Where the qualifying matter is proposed to be applied, enabling development of up to two-storeys and up to three dwellings per site rather than at least ten storeys will have a significant impact on plan-enabled capacity/will not achieve the heights and densities required. <i>All other walkable catchments – at least six storeys (Policy 3)</i> • 163ha is proposed to be subject to the qualifying matter within these walkable catchments (which represents less than 2.5% of total land area within these walkable catchments). • Where the qualifying matter is proposed to be applied, enabling development of up to two-storeys and up to three dwellings per site, rather than at least six storeys, will have a significant impact on plan-enabled capacity/will not achieve the heights and densities required. <i>Policy 3(d) locations – heights and densities commensurate with the level of business activity and community services</i> • 121ha is proposed to be subject to the qualifying matter within Policy 3(d) locations. • In residential areas that are subject to Policy 3(d), the zone proposed to be applied is THAB, unless a qualifying matter also applies to the site and that qualifying matter impacts the zoning. • The THAB zone is proposed to be amended through PC120 to enable heights of up to six storeys. • Where the qualifying matter is proposed to be applied, enabling development of up to two storeys and up to three dwellings per site rather than at least six storeys will have a significant impact on plan-enabled capacity/will not achieve the heights and densities required. <i>Outside Policy 3 areas (overlay is not a qualifying matter)</i> • 670ha is proposed to be subject to the overlay outside Policy 3 locations. • There are no height and density requirements where the SCA Overlay is not a qualifying matter. • The proposed reduction in the spatial extent of the SCA Overlay where it is a planning constraint will assist Council meet the housing capacity targets set out in Schedule 3C of the RMA.

Standard sec 32 steps	Plus clause 8 Schedule 3C steps
	<i>Site-specific analysis</i> The site-specific analysis that evaluates an appropriate range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) or Policy 3, while managing the specific characteristics of the SCA Overlay, has been focused on a reduction in the spatial extent of the overlay, as no other appropriate options have been identified.
Evaluate options – costs for housing capacity	The SCA Overlay as a qualifying matter is one of the main qualifying matters that has an impact on housing capacity, particularly within areas in the inner Isthmus.¹¹ The maintenance and enhancement of special character values by identifying the overlay as a qualifying matter and coupling it with the SHZ has a variable impact on the locations identified in clauses 4(1)(b) and (c) and Policy 3. The presence of the qualifying matter results in a significantly lower density and much reduced heights in comparison to what would be enabled if the qualifying matter was not present. However, there is some uncertainty about the ability to achieve development at the heights and densities required, given the typical site size in the overlay (often small, with a narrow street frontage) and the fragmented land ownership. As a planning constraint, the overlay does not impact housing capacity as required by clause 4(1)(b) or (c) or Policy 3. However, amending the spatial extent of the overlay may support housing capacity targets that are required under clause 4 of Schedule 3C of the RMA.
Evaluate option(s) -environmental, social, economic, cultural benefits and costs	Identifying the SCA Overlay as a qualifying matter and a planning constraint provides both costs and benefits, which vary across the options identified. All options considered have some level of high cost. All the options have some level of benefit, but these benefits are often split between different communities and people depending on which option is considered (some options benefit those communities living within areas subject to the SCA Overlay, whereas other options benefit people wishing to move into these areas). Options 1 and 7 have been discounted because they are not based on the surveyed values of the SCA Overlay. Options 2 and 3 are similar in terms of costs and benefits, although Option 2 is considered to have an advantage as there will likely be lower costs for both Council and landowners interpreting and implementing the provisions.

¹¹ PC120 Overview section 32 report.

Standard sec 32 steps	Plus clause 8 Schedule 3C steps
	Options 4, 5 and 6 have the same costs and similar benefits, but for different areas, depending on where the overlay is proposed to apply. Options 5 and 6 have less of an impact on housing capacity, as they propose to remove the SCA Overlay from some or all walkable catchments respectively, whereas Option 4 applies the overlay to all Policy 3 areas but proposes to reduce it within the walkable catchments of the Maungawhau (Mount Eden), Kingsland and Morningside train stations. Option 8 is the only option with little or no costs relating to housing supply. While Option 8 would provide for full implementation of clause 4(1)(b) and (c) and Policy 3, this option would generate considerable cost in relation to the loss of special character values and loss of amenity for existing neighbourhoods.
Selected method / approach	Given the high costs associated with all options that have been evaluated, determining the most appropriate option for achieving the purpose of PC120 and the provisions of the AUP Chapter B5 and D18 is challenging. While Schedule 3C of the RMA and Policy 3 of the NPS-UD seek to provide for intensification, they also provide for qualifying matters. Option 8 has been discounted as it does not retain any part of the SCA Overlay, which is a characteristic that is valued by Aucklanders. While Options 2 and 3 have slightly lower costs than options 4, 5, 6 the requirement to provide up to 15 storeys in some of Auckland's most accessible walkable catchments and the fact that further analysis work has been undertaken in the 15-storey walkable catchments means that, on balance, Option 4 is considered the most appropriate option.
Overall judgement as to the better option (taking into account risks of acting or not acting)	The consequences for the provision of development capacity by accommodating the SCA Overlay qualifying matter and a planning constraint are the restriction of building height (up two storeys) and density (up to three dwellings) within the areas where the overlay is applied.

3. Issues

3.1 Special Character Areas Overlay – Residential

The qualifying matter/planning constraint being evaluated is the SCA Overlay. The overlay applies to residential urban zones in Auckland's urban environment, mainly sites that are within the SHZ.¹²

The overlay is a qualifying matter where it is located in areas identified in Policy 3 of the NPS-UD. Outside these areas, the overlay is a planning constraint.

The SCA Overlay seeks to retain and manage values that are important to Auckland, being the special character values of specific residential areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region. These areas are residential areas that represent the early European settlement of Auckland. Distribution of the extent of the SCA Overlay is uneven, with areas concentrated within the inner suburbs, particularly in the Auckland Isthmus. Building height within the overlay is predominantly one and two storeys.

The overlay is shown in the PC120 map viewer by a pattern of blue squares. The PC120 map viewer uses the same pattern to show the overlay,¹³ regardless of whether the overlay is a qualifying matter or a planning constraint. Where the overlay is a qualifying matter, it is within a walkable catchment. The map viewer shows the walkable catchments as a thick black line.



Figure 1: Special Character Areas Overlay – Residential, as shown in the PC120 viewer by the pattern of blue squares. The underlying zoning is shown by the colour underneath the overlay, the walkable catchment is shown the thick black line, and areas subject to Policy 3(d) are shown by the brown lines.

The identification and management of special character areas within Auckland is not new; some areas within the SCA Overlay have had their special character values managed under legacy district plans and the Unitary Plan for over 30 years. Special character values have

¹² A small number of sites with the Special Character Areas Overlay - General have a business zone. The overlay also applies to a small number of Open Space zoned sites.

¹³ Note that the PC120 viewer (and the AUP maps) show both the residential and business SCA areas with the same pattern of blue squares. The property summary included in the PC120 viewer identifies which SCA area a site is within.

been identified as being important to Auckland and its people and communities for a significant length of time.

The qualifying matter is any other matter that makes higher density, as specified by clause 4(1)(b) or (c) or Policy 3, inappropriate in an area but only if subclause (4) of clause 8 of Schedule 3C is satisfied.

3.2 Characteristics of the SCA Overlay

The AUP describes areas within the SCA Overlay as places that have collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region.¹⁴

Special character areas include older established areas and places which may be whole settlements or parts of suburbs or a particular rural, institutional, maritime, commercial or industrial area. They are areas and places of special architectural or other built character value, exemplifying a collective and cohesive importance, relevance and interest to a locality or to the region. Historical heritage values may underlie the identification of special character areas and make a contribution to the character and amenity values of such areas, but the special character areas are dealt with differently from significant historic heritage identified and protected in terms of the separate policy framework for identifying and protecting Historic Heritage in B5.2. The attributes of the character and amenity values and the environmental quality of a special character area, including buildings and streetscape, might be derived from its historical legacy without being historic heritage.

The SCA Overlay is predominantly located in areas that have an underlying SHZ.¹⁵ Each overlay area is supported by a special character area statement (in AUP Schedule 15), which identifies the key special character values for each area. Typical features of the overlay areas are described below:

- Original subdivision pattern apparent – section size and shape, street layout
- Height - predominantly one- to two-storey buildings
- Streetscape character – road width, footpath width and berms, kerbstones, street trees, low fences
- Housing types and styles predominantly from late 1800s to 1940s, including cottages, villas, bungalows, Arts and Craft and English Cottage styles, Art Deco and Moderne houses and apartments, mid-Century styles, and State houses
- Building fabric - pitched roofs, predominantly timber or brick cladding for walls, timber joinery, and corrugated steel or clay tiles for roofs
- Generous fenestration patterns, predominantly vertical and a high wall-to-window ratio
- Transitional spaces between exterior and interior – verandahs and covered porches
- Building setbacks are generally consistent
- Open front gardens, mature trees in some areas (e.g., Isthmus B)
- Traditional fences and boundary treatments.

¹⁴ AUP Chapter B5

¹⁵ Except for a small number of sites that have an underlying business zone in the Special Character Areas Overlay – General areas and a small number of sites that are zoned Open Space.

3.3 Key issues the proposed qualifying matter raises

The key issue raised by the qualifying matter in relation to housing capacity is the way it is managed in terms of height and density; to maintain and enhance the special character values of the overlay, restrictions are placed on both height (up to two storeys) and density (up to three dwellings per site).

Height is an integral part of the specific characteristics of the SCA Overlay. The overlay has considerable consistency in the height of buildings within it. Residential areas within the overlay are characterised by buildings that are predominantly one- to two- storeys. This consistency in height is an important, tangible characteristic of the overlay; it illustrates the physical attributes of the areas, including the design and typology of original dwellings.

Density is also key to the specific characteristic of residential areas in the overlay. The SCA Overlay exhibits a predominantly single house settlement pattern. The pattern is illustrated by a level of consistency in patterns of subdivision, lot sizes, lot widths, house setbacks and spacing between houses.

The qualifying matter is incompatible with the level of development directed by clause 4(1)(b) and (c) and Policy 3 for many areas. Building heights of two storeys are significantly lower than the requirements of clause 4(1)(b) (at least 15 storeys), clause 4(1)(c) (at least 10 storeys), Policy 3(c) (at least six storeys), and may be less than the requirements of Policy 3(d) (heights and densities commensurate with the level of commercial activities and community services in an area). The permitted density of up to three dwellings per site in the SHZ is significantly less than what would be expected in a THAB development at the heights provided for in clause 4(1)(b) and (c) and Policy 3. A resource consent is also required for any new buildings within the overlay, further restricting the ability to intensify.

The other key issue the proposed qualifying matter raises is the retention of special character values because it is a characteristic that has been identified as an important part of Auckland's urban character for decades and is an important value to many Aucklanders. The removal of some or all of the SCA Overlay would lead to a lessening of the distinctive features that the overlay gives to Auckland's urban area over time.

4. Objectives, policies and rules (existing)

The AUP currently identifies areas of special character value and applies the Special Character Areas Overlay – Residential to them. Provisions to implement the overlay sit at RPS (Chapter B5) and district level (Chapter D18, Chapter 38 and Schedule 15). These provisions provide the framework for the relevant objectives, policies and rules and methods that are described below. This approach in the AUP was extensively addressed through the Proposed AUP hearings process in 2014 – 2016.

The relevant AUP objectives and policies, that support the SCA Overlay qualifying matter and being retained as a planning constraint are shown in Table 2 below.

Table 2: AUP objectives and policies relating to the SCA Overlay

AUP Chapter	Objective / Policy	Summary of matter addressed
B2 Tāhuhu whakaruruhau ā- taone - Urban growth and form	B2.3 A quality built environment Objective B2.3.1(1) and associated policies	Special character areas are not incompatible with wider goals associated with quality, compact urban development, as they respond to the intrinsic qualities and physical characteristics of sites and areas (B2.3.1(1)(a)) and contribute to a diverse mix of choice and opportunity for people and communities (B2.3.1(1)(c)).
	B2.4 Residential growth Objective B2.4.1(1A) and associated policies	Objective 1A states that residential intensification is limited in some areas to the extent necessary to give effect to identified qualifying matters, such as the Special Character Overlay.
B5 Ngā rawa tuku iho me te āhua – Historic heritage and special character	Objective B5.3.2(2) Policies B5.3.3(1), (2), (3), (4)	The objective seeks to maintain and enhance the character and amenity values of identified special character values. The policies direct how to identify and evaluate areas with special character values and provide direction on how these areas should be maintained and enhanced.
D18 Special Character Areas Overlay – Residential and Business	Objectives D18.2(1), (2), (3)	Objective 1 seeks to maintain and enhance special character values (as identified in the statements in Schedule 15). Objective 2 seeks the retention of specific physical attributes that define, contribute to or support the special character of an area, being (a) built form, design and architectural values of buildings and their contexts, (b) streetscape qualities and cohesiveness, including historical form of subdivision and patterns of streets and roads, and (c) the relationship of built form to landscape qualities and/or natural features including topography, vegetation, trees, and open spaces.

AUP Chapter	Objective / Policy	Summary of matter addressed
	Policies D18.3(1) to (7)	Objective 3 seeks to avoid, remedy or mitigate the adverse effects of subdivision, use and development on the identified special character values of areas. The policies support the objectives by: • directing development and redevelopment to have regard and respond positively to identified special character values, • maintain and enhance built form, design and architectural values of buildings, • discourage the removal or substantial demolition of buildings that contribute to a special character area, • encourage the ongoing use and maintenance of buildings in special character areas, • manage the design and location of car parking, garaging and accessory buildings, and • encourage the retention of special character features that contribute to the character of an area (e.g., boundary walls and fences, paths and plantings).
E38 Subdivision – Urban	Policy E38.3(30)	This policy seeks to maintain the distinctive pattern of subdivision as identified in the character statements for special character areas.

The provisions of the AUP seek to maintain and enhance the character and amenity values of identified special character areas. The management approach for the SCA Overlay in the AUP has two key components.

Firstly, special character areas are identified and evaluated for their significance and are described in Schedule 15.

Secondly, identified special character areas are subject to the provisions of the AUP.

These provisions manage the use, development and demolition of buildings within identified special character areas to maintain and enhance these areas.

The Chapter D18 rules for the SCA Overlay (Activity table D18.4.1) manage the following development activities:

- restoration and repair to a building (permitted activity)
- minor alterations to the rear of a building (permitted)
- total or substantial demolition (exceeding 30%) of a building, or removal of a building (excluding accessory buildings), or the relocation of a building within a site on specific sites within the overlay (restricted discretionary)
- external alterations and additions to a building (restricted discretionary),
- construction of a new building or relocation of a building onto a site (restricted discretionary)
- rainwater tanks (permitted).

In addition to the above, the rules in Chapter Subdivision – Urban manage the subdivision of sites within the overlay (a restricted discretionary or non-complying activity, depending on whether the proposed subdivision complies with the relevant standard).

The provisions of the SCA Overlay are based on a management approach where activities anticipated to have a greater effect on the values of an area are subject to more rigorous management. Activities such as restoration and repair and minor alterations to the rear are permitted, subject to standards, while activities likely to have a greater impact on the special character values of an area, such as total or substantial demolition, require resource consent. The rules are designed to avoid unnecessary consent activity, while protecting special character areas from inappropriate subdivision, use and development.

The application of demolition control rules to identified properties helps to ensure the management approach to special character is appropriate to the contribution of buildings on a site to an area. Not all properties are subject to the demolition control rules.

The AUP approach to maintaining and enhancing the values of the SCA Overlay is to apply the SHZ to the residentially zoned sites within the overlay. The SHZ provides for permitted density of up to three dwellings per site, via the conversion of an existing dwelling and construction of a minor dwelling. This approach provides for the special character values of areas to be maintained and enhanced by the provisions of Chapter D18, and the zoning signals the expected level of development within the overlay.

4.1 Additional evaluation for the SCA Overlay as a qualifying matter – site-specific analysis¹⁶

Section 8 of Schedule 3C of the RMA requires an additional evaluation for qualifying matters that have been identified as any other matter that makes higher density, as specified under clause 4(1)(b) or (c) or Policy 3, inappropriate in an area. For these qualifying matters, of which the SCA Overlay is one, the evaluation report must also:

- (a) identify the specific characteristic that makes the level of development specified by clause 4(1)(b) or (c) or Policy 3 inappropriate in the area; and

¹⁶ The same approach was used to identify the overlay as a planning constraint.

- (b) justify why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS UD; and
- (c) include a site-specific analysis that:
 - (i) identifies the site to which the matter relates; and
 - (ii) evaluates the specific characteristics on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and
 - (iii) evaluates an appropriate range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) or Policy 3 while managing the specific characteristics.

These matters are addressed in turn below.

4.1.1 Identify the specific characteristic that makes the level of development inappropriate

Section 3.2 above describes the characteristics of the SCA Overlay. The specific characteristics of the overlay that makes the level of development provided for inappropriate are the:

- historical subdivision and settlement patterns, and
- the physical attributes (including built form, design and architectural qualities), and
- the scale, density and pattern of development (including the relationship of buildings to the street and to landscape qualities and/or natural features).

A typical site within the SCA Overlay is often small, as shown in Table 3 below. Sites tend to be smaller within the SCA Overlay areas that are older neighbourhoods, closer to the city centre (generally, the older the property and the closer to the city, the smaller the lot size).

For Isthmus A, B and C areas, there are multiple ranges because the overlay covers varied areas across the isthmus, and because the period of significance of the overlay areas is wide (typically 1860-1940 for Isthmus A, B and C). The different ranges reflect different (but related) development patterns that have been influenced by factors like topography, adjacent subdivisions, roading alignments and land reclamation. Earlier subdivisions tend to have smaller lots than later ones within the same overlay area (e.g., a 1860s subdivision in Isthmus A would typically have smaller lots than a 1930 subdivision in Isthmus A). The same is true for the North Shore areas. The ranges in Northcote Point and Birkenhead, in particular, are affected by the coastal topography.

Table 3: SCA Overlay – typical site sizes and widths¹⁷

Overlay area	Location of overlay area	Typical site size (m ²) ¹⁸	General site widths (m)
Isthmus A	Kingsland, Maungawhau & Morningside walkable catchments (WC) WC of City Centre	<300 300-450 450-600	10-12 12-15
Isthmus B	Baldwin Avenue and Mount Albert WCs Other WCs Outside Policy 3 areas	600+	12-15+
Isthmus C	Mount Albert WC (2 sites only) Other WCs Policy 3(d) areas Outside Policy 3 areas	600-800+ (varies depending on topography)	12-15+
Balmoral Tram Suburb West	Policy 3(d) areas Outside Policy 3 areas	500-700	13-15
Balmoral Tram Suburb East	Policy 3(d) areas Outside Policy 3 areas	500-700	13-15
Early Road Links	Policy 3(d) areas Outside Policy 3 areas	400-1300+ (varies depending on road alignments)	~15-20+ (varies depending on road alignments)
Kings Road and Princes Avenue	Outside Policy 3 areas	700	18
North Shore – Birkenhead	Outside Policy 3 areas	500-1500+	15-18
North Shore – Devonport and Stanley Point	Outside Policy 3 areas	300-500 (pre-1800 subdivisions) 450-800 (post-1800 subdivisions)	10-12 12-15
North Shore – Northcote Point	Outside Policy 3 areas	400-500 1000+	~15
Pukehana Avenue	Outside Policy 3 areas	800-900	20
Hill Park	Outside Policy 3 areas	650-1200+	15-20

¹⁷ The information in this table has been sourced from AUP Schedule 15.

¹⁸ This table provides information about general site sizes within SCA Overlay areas, but within each area there are outliers, which may be larger or smaller than the general site size. For example, there are sometimes larger sites between neighbouring subdivisions, where the pattern of development and roads did not align.

4.1.2 Justify why that characteristic makes the level of development inappropriate in light of the national significance of urban development and the objectives of the NPS UD

The characteristics of the SCA Overlay are a finite resource that cannot be replaced. The characteristics of the overlay, primarily one or two storey, single dwellings, mean the level of development directed by clause 4(1)(b) or (c) or Policy 3 is inappropriate. Enabling development via heights of more than two storeys within the SCA Overlay will lead to changes in the built and architectural qualities, and to the scale, density and pattern of development within these areas. Development at the level directed will likely not be able to occur while maintaining and enhancing the identified values of the overlay.

The characteristics of the overlay, including the typical height and density of dwellings and the way they are spaced upon their lots, means there is uncertainty about the ability to redevelop sites that are subject to the qualifying matter to achieve the level of development required by clause 4(1)(b) or (c) or Policy 3.

4.1.3 Site-specific analysis

A site-specific analysis of the overlay was undertaken for the SCA Overlay (both as a qualifying matter and a planning constraint). The steps involved in this analysis are summarised below. The survey methodology and guidance documents used for the site-specific analysis can be viewed on the PC120 page on Council's website).

Identify the site to which the qualifying matter relates

To identify the sites to which the SCA Overlay relates, each site within the overlay was surveyed to determine the level of contribution of each individual property to the special character area it is within. This exercise involved a visual survey of all 21,000 properties that are subject to the overlay in the AUP.

The survey scored each property (out of a total of 6 points) for its level of contribution to the special character values of the area it is within. Points were awarded for scale, relationship to street, period of development, typology, architectural style, and physical integrity. Individual properties that scored 5 or 6 out of 6 were identified as strongly contributing to the special character values of an area.

The SCA Overlay is an area-based management tool, so individual scores for each property were aggregated and analysed to form a conclusion on the value of each special character area (where the special character area was large, for example Isthmus A, B and C, the overlay was divided into survey areas, usually based on historical subdivision patterns).

Thresholds were identified to determine the geographic area where intensification needs to be compatible with the SCA Overlay. Advice from special character experts is that the characteristics of the overlay exist where at least two of every three properties (67 percent) strongly contribute to the values of the area.

To recognise the greater impact that the qualifying matter would have on the capacity to enable intensification in more accessible areas, a decision was made by Auckland Council's Planning Committee that within walkable catchments the threshold for the SCA Overlay needed to be higher. Accordingly, it was decided that within walkable catchments, the SCA

Overlay needed to meet the threshold for 'high quality'.¹⁹ High quality special character areas were defined as areas that had at least three out of four, or 75 percent, of properties that strongly contribute to the values of the area. Special character areas that did not meet the high-quality threshold were subject to a finer-grained analysis to determine if there were sub-areas within a survey report area that reached the thresholds.

A summary of findings report was prepared for each survey report area, which sets out the specific characteristics of each area, the site-specific data collected, and provides a recommendation for the spatial extent of the area. The findings reports will be made available online when PC120 is notified.

The survey resulted in the refinement of the SCA Overlay. PC120 identifies 15,539 sites subject to the overlay (about three-quarters of the approximately 21,000 sites that are subject to the overlay in the operative AUP). And, more importantly, the refined spatial extent that is proposed in PC120 will only apply the SCA Overlay to the area where the values justify it; areas that did not meet the thresholds are no longer proposed to be managed for their special character values.

Evaluation of specific characteristics on a site-specific basis to determine geographic area where intensification needs to be compatible with the specific matter

Following the initial site-specific analysis of special character areas, further site-specific options were considered for the SCA Overlay.

Consideration of sites unable to be seen

The survey of the SCA Overlay provided an individual score for each property that was visible from the public realm. However, some sites were not visible.^{20 21}

While sites unable to be seen were mostly rear sites, not all rear sites were unable to be seen (some visible due to topography, particularly where slopes incline away from the street). In general, rear sites in the SCA Overlay have been created via subdivision of lots, usually behind lots/dwellings from the period of significance of the special character area. However, some rear sites are original lots and may contain buildings that contribute to or support the special character values of an area, even if they cannot be seen from the public realm. In addition to rear sites, a limited number of sites were unable to be seen where vegetation, tall fences or construction activity obscured views of the site.

Sites that were unable to be seen were not able to be individually assessed for their special character value. These sites were therefore excluded from the percentage calculations in the area findings reports that were used to determine whether each area (or sub-area) met the required thresholds for being identified as a qualifying matter.

¹⁹ Resolution number PLA/2022/78, dated 30 June 2022

²⁰ These sites were identified in the survey as rear lots or recorded as sites unable to be seen.

²¹ The proportion of the sites surveyed within the SCA Overlay were unable to be seen varied across different overlay areas. Some special character areas have very few rear sites, but other areas have a significant proportion (for example, Hill Park has 182 of 769 sites marked as 'rear/vacant', being 24% of the total area).

It is unknown what level of contribution sites that were unable to be seen make to some of the values of a special character area, including their physical and visual qualities and style and period of development. However, the objectives and policies in D18 not only focus on built form including the design and architectural values of buildings, but also include consideration of streetscape, street layout and subdivision pattern, and the relationship of built form to landscape, topography, trees and open space.

Sites unable to be seen within the SCA Overlay contribute to the subdivision pattern of an area, the density and pattern of development, and the visual coherence of a special character area. These sites may contribute to maintaining the vegetation and landscape characteristics of special character areas, as larger vegetation including trees is visible behind street-fronting dwellings and, within some special character areas, elevated rear sites provide views of trees and other landscape features in these areas.

Consideration was given to excluding sites unable to be seen within the SCA Overlay as a qualifying matter, in response to clause 4(1)(b), (c) and Policy 3. If this approach was taken, these sites would not be subject to the overlay and the underlying residential zoning would be applied as directed by the clause/policy, unless another qualifying matter applies.

This approach may therefore enable development at the heights and/or densities sought. This intensification would be enabled via increased building coverage, in terms of bulk, height and location, along with subdivision as a controlled activity. Enabling this intensification will almost certainly usher in significant change to the subdivision patterns within the SCA Overlay. Development of buildings with greater height and coverage would result in new buildings being visible both behind and above the existing streetscape of special character areas (from additional building height being enabled) and also in between existing buildings (from changes to allow greater building coverage). Increased building coverage is likely to impact trees and vegetation within the overlay, as these features are not directly managed by rules in Chapter D18. Enabling this level of development will result in a considerable change to the SCA Overlay. Such development would be visibly dominant and not maintain and enhance the values of the areas.

The blanket removal of rear sites from SCA Overlay and application of clause 4(1)(b) or (c) or Policy 3 would likely result in intensification of these sites to a degree that would impact on the remaining overlay areas and make it difficult to maintain and enhance the values of these areas. It is therefore not recommended that this site-specific option is pursued, although it is acknowledged that there may be opportunities to remove some rear sites within some SCA Overlay areas if it could be demonstrated that the special character values of the remaining area can be maintained and enhanced. Development on rear sites within the overlay is an option that can be addressed through a resource consent process, although it is acknowledged that there are costs associated with this and the outcome is not certain.

Small areas and/or isolated pockets

A reduction in the extent of some SCA Overlay areas has occurred following the site-specific survey. The SCA Overlay has been the subject of a refining extent review where sites or areas that are isolated, have an irregular edge and/or are clusters of low scoring properties have been removed from being identified as a qualifying matter.

The site-specific survey includes guidance for identifying 'sub-areas' of SCA Overlay and states:

Size – at least 10 properties but generally at least a whole street or block. Larger areas will help prevent an over-fragmentation of the overlay. There may be exceptions to 'at least 10 properties'; such as where the survey area is very small.

This guidance was not initially applied to areas which met the thresholds for special character as a qualifying matter. Small, fragmented pockets within the overlay may be affected by development adjacent to and around the area. Small pockets of SCA Overlay are likely to experience greater amenity effects from adjacent, much taller development (e.g., six, ten or 15 storeys).

To respond to this, a review of SCA Overlay was undertaken after the initial site-specific analysis, to identify and remove small, isolated pockets based on the guidance above. Areas were reviewed and where they could be removed without impacting on the quality of the SCA Overlay, including by causing fragmentation, amendments were made to remove clusters of isolated properties from the overlay.

This further site-specific analysis has resulted in the development set out by clause 4(1)(b) or (c) or Policy 3 to be enabled on these sites (unless another qualifying matter applies).

Clusters of low scoring properties

Further analysis of individual properties within SCA Overlay that scored at the lower end of the six-point scale used in the site-specific survey was undertaken to identify clusters of low scoring properties. Where these areas could be removed without impacting on the quality of the qualifying matter (e.g., by causing further fragmentation of the overlay) amendments were made to remove the clusters of low scoring properties.

Response to submissions on PC78

The site-specific survey of the SCA Overlay was undertaken as part of the preparation of PC78. PC78 was notified on 18 August 2022 and submissions and further submissions were received on the plan change. Hearings for the SCA Overlay topic have not yet been held, but Council staff have analysed submissions that seek decisions relating to the overlay. Where staff agreed with the decision requested,²² amendments were made to the spatial extent of the SCA Overlay for PC120. Some sites are proposed to be added to the overlay in PC120 and some removed, but the net number of sites remains similar.

Evaluates an appropriate range of options

The qualifying matter is incompatible with the level of plan-enabled development directed by clause 4(1)(b) of Schedule 3C or Policy 3 of the NPS-UD for areas where it is proposed to be identified, because the overlay only provides for up to three dwelling units per site of up to two storeys.

²² This includes matters recorded in the Expert Conferencing and Direct Discussions

Clause 8(4) of Schedule 3C of the RMA requires the section 32 evaluation report to evaluate an appropriate range of options to achieve the greatest heights and densities required by clause 4(1)(b) or (c) or Policy 3 while managing the specific characteristics. This evaluation is discussed in the next section as part of the consideration of options.

5. Development of options

Section 32 of the RMA requires an examination of the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA. The overall objective (purpose of the proposal) of Plan Change 120 has two key objectives – it proposes:

- measures to better manage significant risks from natural hazards region-wide; and
- an amended approach to managing housing growth as a result of no longer incorporating the medium density residential standards (MDRS), but providing for intensification in a way that complies with clause 4 of Schedule 3C of the RMA by:
 - providing at least the same amount of housing capacity as would have been enabled if Plan Change 78: Intensification (PC78), as notified, was made operative, including by providing for additional intensification along selected Frequent Transit corridors and modifying zoning in suburban areas through an amended pattern of Residential - Mixed Housing Urban and Mixed Housing Suburban zones;
 - enabling the building heights and densities specified in clause 4(1)(b) and (c) of Schedule 3C of the RMA within at least the walkable catchments of Maungawhau (Mount Eden), Kingsland, Morningside, Baldwin Avenue and Mount Albert Stations;
 - giving effect to Policy 3 (c) and (d) of the National Policy Statement on Urban Development 2020 (NPS-UD) through intensification in other walkable catchments and land within and adjacent to neighbourhood, town and local centres;
 - enabling less development than that required by clause 4(1)(b) and (c) of Schedule 3C or Policy 3 of the NPS-UD where authorised to do so by clause 8 of schedule 3C.

Section 32 requires a range of options to be considered.

In addition, as the SCA Overlay qualifying matter is a qualifying matter that is "any other matter that makes higher density, as specified by clause 4(1)(b) or (c) of Schedule 3C of the RMA or Policy 3 inappropriate in an area", a site-specific analysis is required that evaluates an appropriate range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) of Schedule 3C of the RMA or Policy 3 of the NPS-UD, while managing the specific characteristics. The site-specific analysis also supports the proposed reduction in extent of the overlay where it is a planning constraint, by helping with the provision of housing capacity across Auckland's urban environment.

The site-specific analysis undertaken for the SCA Overlay is described in Section 4.1.3 above.

A number of reasonably practicable options have been evaluated in the section 32 and Schedule 3C assessment of the SCA Overlay as both a qualifying matter and a planning constraint.

Option 1 – Retain the SCA Overlay and related provisions without amendment

This option would retain the SCA Overlay and related AUP provisions as per the operative AUP.

Option 2 – retain the SCA Overlay with an amended spatial extent, based on the site-specific survey of special character values, and apply the Single House Zone (SHZ)

This option would retain the SCA Overlay with an amended spatial extent (reduced from the operative AUP extent), based on the site-specific survey. The SHZ would be applied to the residentially zoned sites within the overlay. The SCA overlay provisions would be amended and retained. The rules are proposed to retain permitted standards for development of up to two storeys and up to three dwellings per site and new buildings would require resource consent.

Option 3 – retain the overlay as per Option 2 but do not apply the SHZ

This option would retain the SCA Overlay with an amended spatial extent (reduced from the operative AUP extent), based on the site-specific survey. The SHZ would not be applied – the zoning would be applied in accordance with the direction set out in clause 4(1)(b) or (c) or Policy 3 (unless a site was subject to another qualifying matter). The SCA overlay provisions would be amended and retained. The rules are proposed to retain permitted standards for development of up to two storeys and up to three dwellings per site and new buildings would require resource consent.

Option 4 – reduce the extent of the overlay within the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2

This option would retain the SCA Overlay with an amended spatial extent (reduced from the operative AUP extent), based on the site-specific survey, except in the walkable catchments of the Maungawhau (Mount Eden), Kingsland and Morningside train stations, the overlay would be reduced so that it only applies to around ten percent of the land area of each walkable catchment. The SHZ would be applied to the residentially zoned sites within the overlay. The SCA overlay provisions would be amended and retained. The rules are proposed to retain permitted standards for development of up to two storeys and up to three dwellings per site and new buildings would require resource consent.

Option 5 – remove the overlay from the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2

This option would delete the SCA Overlay from the walkable catchments of the Maungawhau (Mount Eden), Kingsland and Morningside. This option would retain the SCA Overlay in other walkable catchments, in Policy 3(d) areas and outside these areas, but with

amendments to the spatial extent of the overlay in these areas, based on the site-specific survey. The SCA overlay provisions would be amended and retained. The rules are proposed to retain permitted standards for development of up to two storeys and up to three dwellings per site and new buildings would require resource consent.

Option 6 – remove the overlay from all Policy 3 areas, but retain it elsewhere as per Option 2

This option would delete the SCA from all walkable catchments and Policy 3(d) areas. Outside the Policy 3 areas, the overlay would be retained but amended as per the approach in Option 2. The SCA overlay provisions would be amended and retained. The rules are proposed to retain permitted standards for development of up to two storeys and up to three dwellings per site and new buildings would require resource consent.

Option 7 – retain the overlay in Policy 3 areas as per Option 2, and retain the overlay outside Policy 3 areas without changing the spatial extent (i.e., retain it elsewhere as per the operative AUP)

This option would retain the SCA Overlay within Policy 3 areas, but with an amended spatial extent (reduced from the operative AUP extent), based on the site-specific survey. Outside Policy 3 areas, the overlay would be retained as per the operative AUP, with no change to the spatial extent. The SHZ would be applied to the residentially zoned sites within the overlay. The overlay rules would be amended and retained. The rules are proposed to retain permitted standards for development of up to two storeys and up to three dwellings per site and new buildings would require resource consent.

Option 8 – delete the SCA Overlay as a qualifying matter or a planning constraint

This option would remove the SCA Overlay in its entirety, from all of Auckland's urban environment, and delete the related AUP provisions (relevant parts of Chapters B5 and E38, plus Chapter D18 and Schedule 15).

5.1 Alternative standards or methods

No other alternative standards or methods were identified that would achieve the heights or densities specified by clause 4(1)(b) or (c) or Policy 3 while applying the qualifying matter. The method that has been focused on was identifying the values of the SCA Overlay and only applying the qualifying matter where it is of sufficient special character value. A reduction in the spatial extent of the overlay is the best way to achieve the heights and densities required by the RMA and NPS-UD. Some further methods to reduce the extent of the overlay are discussed below.

Application of the demolition control rule

Demolition, relocation and removal of buildings within the SCA Overlay impact on the ability to enable housing capacity on a site. Within the overlay, the removal, relocation or substantial demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character statement is discouraged. Chapter D18 includes a rule controlling the total or substantial demolition (exceeding 30% or more by area) of a building, the removal of a building or the relocation of a building

(demolition control rule)²³. This rule applies to all sites within Isthmus A, Pukehana Avenue and Hill Park²⁴ and to identified sites within all other SCA Overlay areas (sites subject to the rule are identified in maps in Schedule 15 in the operative AUP and are shown in the property summary in the map viewer for PC120).

In light of the requirements of clause 4(1)(b) and (c) and Policy 3, the application of demolition control rule within SCA Overlay has been reviewed.

The intent of the demolition control rule is to recognise that within the SCA Overlay, individual sites have different levels of contribution to an area's special character values. A review of sites where the demolition control rule applies as per the operative AUP, and the results of the site-specific survey show that there is a mismatch in some areas:

- Some individual sites that contribute to the special character values (those that score 4, 5 or 6) do not have the demolition control rule applying to them. Therefore, the buildings on these sites, which contribute to the special character values of an area, may be demolished as a permitted activity, and
- Some individual sites that do not contribute to the special character values (those that score 0, 1, 2 or 3) do have the demolition control rule applying to them. Therefore, landowners need to seek consent to demolish or remove buildings from these sites even though they do contribute to the special character values of the area.

As already outlined, the RMA requires an evaluation of an appropriate range of options to achieve the greatest heights and densities required by clause 4(1)(b) or (c) or Policy 3 while managing the specific characteristics of the qualifying matter. A review of which sites the demolition control rule applies to is an important part of considering the requirements of the RMA. The ability to demolish, remove or relocate a building within SCA Overlay will assist with enabling the greatest heights and densities permitted by Policy 3. Therefore, this rule should only apply where the special character values warrant it on a site-specific basis.

It is recommended that the demolition control rule be applied on the basis of the results of the site-specific survey, with the rule being applied to individual sites that were identified as strongly contributing (i.e., those scoring 4, 5 or 6 out of the six-point scale).

The SCA Overlay is an area control, but the management approach in the Unitary Plan identifies higher and lower value sites and reflects those differences by applying different rules. The survey of special character areas has provided evidence of higher and lower values at site-specific level. If a site has been identified as detracting, it has very low value individually, and the demolition of the building is appropriate. Conversely, if a site has been surveyed as strongly contributing, the demolition of the buildings on that site is not appropriate, as those buildings contribute to the special character values of the area, and its potential demolition should be considered through a resource consent process.

The application of the demolition control rule to sites within the SCA Overlay according to the results of the site-specific survey is considered the most appropriate option. PC120

²³ AUP Chapter D18, Rule A3.

²⁴ For those sites that have a residential zoning.

proposes to identify the sites subject to the demolition control rule in the planning maps, with information shown in the Property Summary for each individual place.

Reducing the spatial extent of the SCA Overlay in the walkable catchments of the Maungawhau (Mount Eden), Kingsland and Morningside train stations

The walkable catchments of the Maungawhau (Mount Eden), Kingsland and Morningside train stations are identified for the most intensification, with clause 4(1)(b) requiring heights of at least 15 storeys within this area. The Government signalled this requirement would be included in the Resource Management (Consenting and Other System Changes) Amendment Act 2025 (**RMA Amendment Act**) in June 2025. Analysis to assist with enabling the greatest heights and densities in this area has been undertaken.

In May 2025, four options for the application of the SCA Overlay to walkable catchments were presented to a confidential workshop of Council's Policy and Planning Committee:

- Retain the SCA Overlay within the walkable catchments as per the PC78 approach
- Retain the overlay outside walkable catchments and reduce the extent within walkable catchments to a "minor" impact
- Retain the overlay outside walkable catchments only
- Remove the qualifying matter.

Following the workshop, Council officers undertook further analysis of the spatial extent of the SCA Overlay within the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside with the aim to recommend a "small" area of the overlay to be retained. The guide to "small" was around ten percent of the total land area of each of the three walkable catchments. Due to the overlap in the walkable catchments of Kingsland & Morningside, the overlapping area was split, and half allocated to each walkable catchment, to avoid double counting.

The work to identify a potential "small" area of SCA Overlay to be retained within the walkable catchments of the Maungawhau (Mount Eden), Kingsland and Morningside train stations was guided by the following criteria:

- Is the area of high physical integrity?
- Does the area have potential to have historic heritage values?
- Does the area have shared values with and/or is in proximity to other places or features (e.g., does it support the values of a town centre)?
- Is the area different to and/or distant from any existing historic heritage areas (HHAs)?

All the areas of SCA within the relevant walkable catchments had already been identified as high quality in the site-specific survey, so they all met the first criteria.

After consideration of all of the SCA Overlay within the walkable catchments, three areas were identified as meeting these criteria more strongly than other areas. Other overlay areas also met the criteria, but the areas chosen to be retained more strongly meet the criteria, in addition by representing different aspects of the special character or (potential) historic heritage values within the walkable catchment area. PC120 proposes to apply the SCA

Overlay to these three areas, alongside a small area in Morningside,²⁵ but to no other overlay areas within the walkable catchments of the Maungawhau (Mount Eden), Kingsland and Morningside train stations.

Reducing the spatial extent of the SCA Overlay in the walkable catchments of the Baldwin Avenue and Mount Albert train stations

The approach taken in the Maungawhau (Mount Eden), Kingsland and Morningside could have been taken in the walkable catchments of the Baldwin Avenue and Mount Albert train stations, where clause 4(1)(c) requires heights of at least ten storeys. However, the 10-storey requirement within these walkable catchments was not flagged as being a requirement of the RMA Amendment Bill until June 2025 and the Bill did not become law until August 2025, so there has not yet been time to undertake any further analysis of the SCA Overlay in these areas. The overlay covers 6% of the Baldwin Avenue walkable catchment and 12% of the Mount Albert walkable catchment (a small area of the SCA Overlay is located within both Baldwin Avenue and Mount Albert walkable catchments)

Reducing the spatial extent of the SCA Overlay in all walkable catchments

The approach taken in the Maungawhau (Mount Eden), Kingsland and Morningside could also be taken for other walkable catchments to reduce the impact of the qualifying matter on housing capacity. The application of the qualifying matter is unevenly spread across the urban environment and is more concentrated within some walkable catchments (e.g., City Centre, Remuera, Grafton). It is difficult to provide accurate figures for the percentage of SCA Overlay within each walkable catchment, as many of them overlap. The walkable catchment of the City Centre takes in parts the walkable catchments of the Grafton, Parnell and Mount Eden train stations. The Kingsland walkable catchment overlaps with both Mount Eden and Morningside and the walkable catchments of Baldwin Avenue and Mount Albert also overlap. The overall impact of the SCA Overlay in identified intensification areas is shown in Table 4 below.

²⁵ As the SCA Overlay is applied to less than ten percent of the Morningside walkable catchment, the area of the overlay within this walkable catchment was retained without being subject to the criteria.

Table 4: SCA Overlay within areas identified in clause 4(1)(b) and (c) of the RMA and Policy 3 of the NPS-UD²⁶

Walkable catchment/ area	SCA Residential area (ha)	WC/area (ha)	% of land
Maungawhau, Kingsland & Morningside	29	271	11%
Baldwin Avenue & Mount Albert	23	203	11%
All other walkable catchments	163	6,591	2.5%
Policy 3(d) areas	121	468	26%
Areas not in a walkable catchment or Policy 3(d) area	670	58,000	1%

To reduce the impact on housing capacity, further analysis could be undertaken to identify and remove further areas of SCA Overlay from walkable catchments where the overlay covers more than ten percent. However, this is not a straightforward task. The site-specific analysis has already identified that the SCA Overlay proposed to be retained within walkable catchments is all high quality. Low scoring clusters and small isolated pockets have already been removed. From a special character values perspective, it is difficult to further reduce the spatial extent, when all the SCA Overlay has been assessed as being of the same, high-quality value. Further reduction of the spatial extent becomes more of an arbitrary process, where one group of streets or area is chosen over another, but where they all have the same value. This approach has not been taken anywhere outside the Maungawhau (Mount Eden), Kingsland and Morningside walkable catchments at this stage.

Overlapping qualifying matters where Single House Zone is applied

It should be noted that for the options that proposed to remove sites from the SCA Overlay, the proposed removal from some or all sites will not result in the rezoning of all land to THAB, because some of the properties are subject to other qualifying matters that limit height and/or density. For example, the SHZ is also proposed to be applied to parts of the Natural Hazards (Coastal Setback, some flood plains).

If the SCA Overlay were to be removed in some or all locations, an alternative method could be to identify where another qualifying matter results in the SHZ remaining on the site and considering whether to apply the SCA Overlay to that site. However, as the SCA Overlay is an area-based control, it would not be appropriate to retain single houses or small pockets within the overlay. This option would require additional analysis to determine whether any of

²⁶ This table provides approximate figures for the extent of the SCA Overlay and different areas of land subject to PC120. Figures are rounded to the nearest whole number or half a percent. The figures quoted for the area of different walkable catchments and the Policy 3(d) areas may still be subject to change.

the areas where the SHZ is to remain (for reasons other than special character) are of high enough quality to be retained as SCA Overlay.

5.2 Consequences for development capacity

The consequences for the provision of development capacity by accommodating the SCA Overlay qualifying matter and a planning constraint are the restriction of building heights within the areas where the overlay is applied; this results in permitted standards for height of up to two storeys and the restriction of density to a up to three dwellings per site (via the conversion of an existing dwelling and the construction of a minor dwelling). Resource consent is also required for new buildings within the overlay.

5.3 Evaluation of options

To determine the most appropriate response for the SCA Overlay as a qualifying matter, each of the options needs to be evaluated in the context of the objectives and Policy 3 of the NPS-UD.

Table 5: Evaluation of options

Qualifying matter	Option 1 – retain the overlay and related provisions with no amendment	Option 2 – retain the overlay with an amended spatial extent (based on the site-specific survey of special character values) and apply the Single House Zone (SHZ)	Option 3 – retain the overlay as per Option 2, but enable the heights and density requirements by not applying the SHZ	Option 4 – reduce the spatial extent of the overlay within the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 5 – remove the overlay from the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 6 – remove the overlay from all Policy 3 areas, but retain it elsewhere as per Option 2	Option 7 – retain the overlay in Policy 3 areas as per Option 2 (based on site-specific survey), and retain the overlay elsewhere without changing the spatial extent (i.e., retain it elsewhere as per the operative AUP)	Option 8 – do not apply the SCA Overlay as a qualifying matter as either a qualifying matter or a planning constraint
Note: this evaluation is based on theoretical housing supply/capacity. Many sites within the overlay are small, with narrow road frontages. These factors and the ownership patterns (fragmentation of ownership) will impact on the ability to enable housing capacity at the heights and densities specified in clause 4(1)(b) or (c) or Policy 3 and to achieve plan-enabled housing capacity.								
Costs of applying QM – housing supply / capacity	Variable – low to high cost depending on location Identifying the qualifying matter results in the application of the SHZ underlying the SCA Overlay. The application of the qualifying matter rather than the THAB zone plus HVC means that the sites will not be able to benefit from the additional height enabled by clause 4(1)(b) or (c) or Policy 3. While the cost of applying the qualifying matter on housing supply is not great across the whole urban environment, as the proportion of land and sites subject to the qualifying matter is not overall large, the cost is not evenly spread. In some locations, e.g., in some walkable catchments, the cost of applying the qualifying matter in terms of housing supply is high.	Variable – low to high cost depending on location Identifying the qualifying matter results in the application of the SHZ underlying the SCA Overlay. The application of the qualifying matter rather than the THAB zone plus HVC means that the sites will not be able to benefit from the additional height enabled by clause 4(1)(b) or (c) or Policy 3. While the cost of applying the qualifying matter on housing supply is not great across the whole urban environment, as the proportion of land and sites subject to the qualifying matter is not overall large (and is less than in Option 1), the cost is not evenly spread. In some locations, e.g., in some walkable catchments, the cost of applying the qualifying matter in terms of housing supply, is high.	Variable – low to high cost depending on location Applying the qualifying matter will impose the objectives, policies, rules and standards of Chapter D18, which provide for a permitted standard of two storeys and up to three dwellings per site (via the conversion of existing dwellings plus a minor dwelling). These provisions will need to be considered in addition to the rules of the underlying zone. Any development proposal for a new building and/or to exceed the permitted height and density on a site would need to go through a resource consent process. The likelihood of an approved consent for significant additional height and density is uncertain, as the additional height and density may not enable the special character values of an area to be maintained and enhanced. It is unlikely that the heights and/or densities required by clause	Variable – low to high cost depending on location Moderate cost within the Maungawhau (Mount Eden), Kingsland and Morningside walkable catchments, as only 11% of the land area within those walkable catchments is proposed to have the overlay applied. High cost in other Policy 3 areas, as the application of the qualifying matter rather than the THAB zone plus HVC means that sites within other walkable catchments will not be able to benefit from the additional height enabled by clause 4(1)(c) or Policy 3. While the cost of applying the qualifying matter on housing supply is not great across the whole urban environment, as the proportion of land and sites subject to the qualifying matter is not overall large, the cost is not evenly spread. In some locations, e.g., in	Variable – low to high cost depending on location No cost within the Maungawhau (Mount Eden), Kingsland and Morningside walkable catchments. High cost in other Policy 3 areas, as the application of the qualifying matter rather than the THAB zone plus HVC means that sites within other walkable catchments will not be able to benefit from the additional height enabled by clause 4(1)(c) or Policy 3. While the cost of applying the qualifying matter on housing supply is not great across the whole urban environment, as the proportion of land and sites subject to the qualifying matter is not overall large, the cost is not evenly spread. In some locations, e.g., in some walkable catchments, the cost of applying the qualifying	Variable – none to low depending on location No cost within the Policy 3 areas. Low cost where the overlay is a planning constraint.	Variable – low to high cost depending on location Identifying the qualifying matter results in the application of the SHZ underlying the SCA Overlay. The application of the qualifying matter rather than the THAB zone plus HVC means that the sites will not be able to benefit from the additional height enabled by clause 4(1)(b) or (c) or Policy 3. Moderate cost on housing supply for the SCA Overlay as a planning constraint, as the overlay would be applied to areas where it is known that the special character values are not of sufficient quality for the overlay to be retained. The application of an overlay that restricts height and density where sufficient value is not present is a high cost.	No cost Not applying the qualifying matter will enable theoretical, plan-enabled housing capacity at the levels sought. However, due to the size (small for many sites in the areas currently subject to the overlay) and shape of sites and the fragmentation of ownership, the ability to enable housing capacity at the heights sought will be limited for some sites.

Qualifying matter	Option 1 – retain the overlay and related provisions with no amendment	Option 2 – retain the overlay with an amended spatial extent (based on the site-specific survey of special character values) and apply the Single House Zone (SHZ)	Option 3 – retain the overlay as per Option 2, but enable the heights and density requirements by not applying the SHZ	Option 4 – reduce the spatial extent of the overlay within the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 5 – remove the overlay from the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 6 – remove the overlay from all Policy 3 areas, but retain it elsewhere as per Option 2	Option 7 – retain the overlay in Policy 3 areas as per Option 2 (based on site-specific survey), and retain the overlay elsewhere without changing the spatial extent (i.e., retain it elsewhere as per the operative AUP)	Option 8 – do not apply the SCA Overlay as a qualifying matter as either a qualifying matter or a planning constraint
Note: this evaluation is based on theoretical housing supply/capacity. Many sites within the overlay are small, with narrow road frontages. These factors and the ownership patterns (fragmentation of ownership) will impact on the ability to enable housing capacity at the heights and densities specified in clause 4(1)(b) or (c) or Policy 3 and to achieve plan-enabled housing capacity.								
			4(1)(b) or (c) or Policy 3 will be achieved in many locations, even if the underlying zone permits them. It is therefore likely that the application of the qualifying matter means that the sites will not be able to benefit from the additional height enabled by clause 4(1)(b) or (c) or Policy 3. While the cost of applying the qualifying matter on housing supply is not great across the whole urban environment, as the proportion of land and sites subject to the qualifying matter is not overall large, the cost is not evenly spread. In some locations, e.g., in some walkable catchments, the cost of applying the qualifying matter in terms of housing supply is high.	some walkable catchments, the cost of applying the qualifying matter in terms of housing supply is high.	matter in terms of housing supply is high.			
Costs: Social	Moderate cost Will not enable a wide range of housing types and sizes where the qualifying matter / planning constraint applies. There are social costs to limiting the number of individuals able to live and work in close proximity to accessible locations.	Moderate cost Will not enable a wide range of housing types and sizes where the qualifying matter / planning constraint applies. There are social costs to limiting the number of individuals able to live and work in close proximity to accessible locations.	Moderate cost Will not enable a wide range of housing types and sizes where the qualifying matter / planning constraint applies. There are social costs to limiting the number of individuals able to live and work in close proximity to accessible locations.	High cost in some locations Social costs to existing neighbourhoods arising from the potential for significant change in the planned urban built character of the neighbourhood. Removal of the SCA Overlay would likely result in the loss of an important public value and amenity in the	High cost in some locations Social costs to existing neighbourhoods arising from the potential for significant change in the planned urban built character of the neighbourhood. Removal of the SCA Overlay would likely result in the loss of an important public value and amenity in the	High cost in some locations Social costs to existing neighbourhoods arising from the potential for significant change in the planned urban built character of the neighbourhood. Removal of the SCA Overlay would likely result in the loss of an important public value and amenity in the	Moderate cost Will not enable a wide range of housing types and sizes where the qualifying matter applies. There are social costs to limiting the number of individuals able to live and work in close proximity to accessible locations. There may be social costs if the retention of the overlay puts pressure	High cost Social costs to existing neighbourhoods arising from the potential for significant change in the planned urban built character of the neighbourhood. Removal of the SCA Overlay would likely result in the loss of an important public amenity – Auckland's special character values.

Qualifying matter	Option 1 – retain the overlay and related provisions with no amendment	Option 2 – retain the overlay with an amended spatial extent (based on the site-specific survey of special character values) and apply the Single House Zone (SHZ)	Option 3 – retain the overlay as per Option 2, but enable the heights and density requirements by not applying the SHZ	Option 4 – reduce the spatial extent of the overlay within the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 5 – remove the overlay from the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 6 – remove the overlay from all Policy 3 areas, but retain it elsewhere as per Option 2	Option 7 – retain the overlay in Policy 3 areas as per Option 2 (based on site-specific survey), and retain the overlay elsewhere without changing the spatial extent (i.e., retain it elsewhere as per the operative AUP)	Option 8 – do not apply the SCA Overlay as a qualifying matter as either a qualifying matter or a planning constraint
Note: this evaluation is based on theoretical housing supply/capacity. Many sites within the overlay are small, with narrow road frontages. These factors and the ownership patterns (fragmentation of ownership) will impact on the ability to enable housing capacity at the heights and densities specified in clause 4(1)(b) or (c) or Policy 3 and to achieve plan-enabled housing capacity.								
	There may be social costs if the retention of the overlay puts pressure on housing price increases.	There may be social costs if the retention of the overlay puts pressure on housing price increases.	There may be social costs if the retention of the overlay puts pressure on housing price increases.	Maungawhau (Mount Eden), Kingsland, Baldwin Avenue and Mount Albert areas – Auckland's special character values. Social costs to the people and neighbourhoods affected arising from the potential for significant change in the planned urban built character of the neighbourhood. Loss of amenity values due to impacts on sunlight, privacy and overlooking, as neighbourhoods become denser. There may be social costs if the retention of the overlay puts pressure on housing price increases.	Maungawhau (Mount Eden), Kingsland, Baldwin Avenue and Mount Albert areas – Auckland's special character values. Social costs to the people and neighbourhoods affected arising from the potential for significant change in the planned urban built character of the neighbourhood. Loss of amenity values due to impacts on sunlight, privacy and overlooking, as neighbourhoods become denser. There may be social costs if the retention of the overlay puts pressure on housing price increases.	walkable catchments that have special character values. Social costs to the people and neighbourhoods affected arising from the potential for significant change in the planned urban built character of the neighbourhood. Loss of amenity values due to impacts on sunlight, privacy and overlooking, as neighbourhoods become denser.	on housing price increases.	Social costs to people and neighbourhoods arising from the potential for significant change in the planned urban built character of the neighbourhood. Loss of amenity values due to impacts on sunlight, privacy and overlooking, as neighbourhoods become denser.
Costs: Economic (not otherwise covered by housing capacity issues)	Moderate-high cost There are likely to be some costs to economic activity resulting from some dispersal of development further from accessible locations such as town centres. High cost to some landowners where they would need to seek resource consent to alter their properties when the special character values have been surveyed as not being sufficient.	Moderate cost There are likely to be some costs to economic activity resulting from some dispersal of development further from accessible locations such as town centres.	Moderate-high cost There are likely to be some costs to economic activity resulting from some dispersal of development further from accessible locations such as town centres. There are costs to plan users and Council in interpreting and implementing the provisions, particularly the possible disconnect between objectives and policies of the THAB zone and the application	Moderate-high costs in some locations There may be some cost associated with the demolition of existing housing stock and its replacement. There may be economic costs to landowners if the removal of the SCA Overlay and potential change in amenity in the neighbourhood impacts the value of their property. There may be economic costs to individual	Moderate-high costs in some locations There may be some cost associated with the demolition of existing housing stock and its replacement. There may be economic costs to landowners if the removal of the SCA Overlay and potential change in amenity in the neighbourhood impacts the value of their property. There may be economic costs to individual	Moderate-high costs in some locations There may be some cost associated with the demolition of existing housing stock and its replacement. There may be economic costs to landowners if the removal of the SCA Overlay and potential change in amenity in the neighbourhood impacts the value of their property.	Moderate-high cost in some locations There are likely to be some costs to economic activity resulting from some dispersal of development further from accessible locations such as town centres. High cost to some landowners where they would need to seek resource consent to alter their properties when the special character values have been surveyed as not being sufficient.	Moderate cost There may be some cost associated with the demolition of existing housing stock and its replacement. There may be economic costs to landowners if the removal of the SCA Overlay and potential change in amenity in the neighbourhood impacts the value of their property.

Qualifying matter	Option 1 – retain the overlay and related provisions with no amendment	Option 2 – retain the overlay with an amended spatial extent (based on the site-specific survey of special character values) and apply the Single House Zone (SHZ)	Option 3 – retain the overlay as per Option 2, but enable the heights and density requirements by not applying the SHZ	Option 4 – reduce the spatial extent of the overlay within the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 5 – remove the overlay from the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 6 – remove the overlay from all Policy 3 areas, but retain it elsewhere as per Option 2	Option 7 – retain the overlay in Policy 3 areas as per Option 2 (based on site-specific survey), and retain the overlay elsewhere without changing the spatial extent (i.e., retain it elsewhere as per the operative AUP)	Option 8 – do not apply the SCA Overlay as a qualifying matter as either a qualifying matter or a planning constraint
Note: this evaluation is based on theoretical housing supply/capacity. Many sites within the overlay are small, with narrow road frontages. These factors and the ownership patterns (fragmentation of ownership) will impact on the ability to enable housing capacity at the heights and densities specified in clause 4(1)(b) or (c) or Policy 3 and to achieve plan-enabled housing capacity.								
	Cost to Council to process resource consent where special character value is not sufficient.		of the SCA Overlay with its permitted height and density of up to two storeys/up to three dwellings per site.	landowners where sites are not upzoned, by way of a drop in land value, particularly where the site is adjacent or near the interface of 15 storey zoning (values may drop due to amenity issues such as impact on privacy and overshadowing etc.). This also involves costs relating to the transition to SHZ to THAB and the related impact on property values. However, these costs are uncertain (see possible economic benefits below).	landowners where sites are not upzoned, by way of a drop in land value, particularly where the site is adjacent or near the interface of 15 storey zoning (values may drop due to amenity issues such as impact on privacy and overshadowing etc.). This also involves costs relating to the transition to SHZ to THAB and the related impact on property values. However, these costs are uncertain (see possible economic benefits below).		Cost to Council to process resource consent where special character value is not sufficient. There may be economic costs to individual landowners where sites are not upzoned, by way of a drop in land value, particularly where the site is adjacent or near the interface of 15 storey zoning (values may drop due to amenity issues such as impact on privacy and overshadowing etc.). This also involves costs relating to the transition to SHZ to THAB and the related impact on property values. However, these costs are uncertain (see possible economic benefits below).	
Costs: Environmental	Moderate cost Fewer dwellings enabled in very accessible locations is likely to lead to additional vehicle movements and higher emissions, as less people will be able to live close to the most accessible locations, and these people will have to be accommodated further away from such locations.	Moderate cost Fewer dwellings enabled in very accessible locations is likely to lead to additional vehicle movements and higher emissions, as less people will be able to live close to the most accessible locations, and these people will have to be accommodated further away from such locations.	Moderate cost Fewer dwellings enabled in very accessible locations is likely to lead to additional vehicle movements and higher emissions, as less people will be able to live close to the most accessible locations, and these people will have to be accommodated further away from such locations.	High cost in some locations Fewer dwellings enabled in very accessible locations is likely to lead to additional vehicle movements and higher emissions, as less people will be able to live close to the most accessible locations, and these people will have to be accommodated further away from such locations.	High cost in some locations Loss of identified special character values in selected locations as sites and areas are redeveloped. These values are finite and not able to be replaced. Over time, this will lead to a lessening of distinctive features of Auckland's urban area which may reduce Auckland's	High cost in some locations Loss of identified special character values in selected locations as sites and areas are redeveloped. These values are finite and not able to be replaced. Over time, this will lead to a lessening of distinctive features of Auckland's urban area which may reduce Auckland's	High cost in some locations Loss of identified special character values in selected locations as sites and areas are redeveloped. These values are finite and not able to be replaced. Over time, this will lead to a lessening of distinctive features of Auckland's urban area which may reduce Auckland's	High cost Loss of identified special character values as sites and areas are redeveloped. These values are finite and not able to be replaced. Over time, this will lead to a lessening of distinctive features of Auckland's urban area which may reduce Auckland's comparative advantages over other cities.

Qualifying matter	Option 1 – retain the overlay and related provisions with no amendment	Option 2 – retain the overlay with an amended spatial extent (based on the site-specific survey of special character values) and apply the Single House Zone (SHZ)	Option 3 – retain the overlay as per Option 2, but enable the heights and density requirements by not applying the SHZ	Option 4 – reduce the spatial extent of the overlay within the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 5 – remove the overlay from the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 6 – remove the overlay from all Policy 3 areas, but retain it elsewhere as per Option 2	Option 7 – retain the overlay in Policy 3 areas as per Option 2 (based on site-specific survey), and retain the overlay elsewhere without changing the spatial extent (i.e., retain it elsewhere as per the operative AUP)	Option 8 – do not apply the SCA Overlay as a qualifying matter as either a qualifying matter or a planning constraint
Note: this evaluation is based on theoretical housing supply/capacity. Many sites within the overlay are small, with narrow road frontages. These factors and the ownership patterns (fragmentation of ownership) will impact on the ability to enable housing capacity at the heights and densities specified in clause 4(1)(b) or (c) or Policy 3 and to achieve plan-enabled housing capacity.								
				Loss of identified special character values in selected locations as sites and areas are redeveloped. These values are finite and not able to be replaced. Over time, this will lead to a lessening of distinctive features of Auckland's urban area which may reduce Auckland's comparative advantages over other cities. Loss of the connection the community has with their neighbourhood and environment, as it changes over time, in the affected areas. Replacement of lower density neighbourhoods with higher density development may result in the loss of trees and vegetation. Environmental costs associated with the demolition of buildings, including impact on landfills from demolition waste.	comparative advantages over other cities. Loss of the connection the community has with their neighbourhood and environment, as it changes over time, in the affected areas. Replacement of lower density neighbourhoods with higher density development may result in the loss of trees and vegetation. Environmental costs associated with the demolition of buildings, including impact on landfills from demolition waste.	comparative advantages over other cities. Loss of the connection the community has with their neighbourhood and environment, as it changes over time, in the affected areas. Replacement of lower density neighbourhoods with higher density development may result in the loss of trees and vegetation. Environmental costs associated with the demolition of buildings, including impact on landfills from demolition waste.	comparative advantages over other cities. Loss of the connection the community has with their neighbourhood and environment, as it changes over time, in the affected areas. Replacement of lower density neighbourhoods with higher density development may result in the loss of trees and vegetation. Environmental costs associated with the demolition of buildings, including impact on landfills from demolition waste.	Loss of the connection the community has with their neighbourhood and environment, as it changes over time. Replacement of lower density neighbourhoods with higher density development may result in the loss of trees and vegetation. Environmental costs associated with the demolition of buildings, including impact on landfills from demolition waste.
Benefits of applying the QM - social	High benefit Will maintain the character of existing neighbourhoods where the qualifying matter applies, including relating to aspects such as sunlight access, overshadowing and privacy.	High benefit Will maintain the character of existing neighbourhoods where the qualifying matter applies, including relating to aspects such as sunlight access, overshadowing and privacy.	High benefit Will maintain the character of existing neighbourhoods where the qualifying matter applies, including relating to aspects such as sunlight access, overshadowing and privacy.	Moderate benefit in some locations Some social benefit in enabling more development to occur close to centres, via more people being able to live in accessible locations.	Moderate benefit in some locations Some social benefit in enabling more development to occur close to centres, via more people being able to live in accessible locations.	Moderate benefit in some locations Some social benefit in enabling more development to occur close to centres, via more people being able to live in accessible locations.	High benefit in some locations Will maintain the character of existing neighbourhoods where the qualifying matter applies, including relating to aspects such as sunlight access,	Moderate benefit Some social benefit in enabling more development to occur close to centres, via more people being able to live in accessible locations. Social benefits arise from a variety of housing

Qualifying matter	Option 1 – retain the overlay and related provisions with no amendment	Option 2 – retain the overlay with an amended spatial extent (based on the site-specific survey of special character values) and apply the Single House Zone (SHZ)	Option 3 – retain the overlay as per Option 2, but enable the heights and density requirements by not applying the SHZ	Option 4 – reduce the spatial extent of the overlay within the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 5 – remove the overlay from the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 6 – remove the overlay from all Policy 3 areas, but retain it elsewhere as per Option 2	Option 7 – retain the overlay in Policy 3 areas as per Option 2 (based on site-specific survey), and retain the overlay elsewhere without changing the spatial extent (i.e., retain it elsewhere as per the operative AUP)	Option 8 – do not apply the SCA Overlay as a qualifying matter as either a qualifying matter or a planning constraint
Note: this evaluation is based on theoretical housing supply/capacity. Many sites within the overlay are small, with narrow road frontages. These factors and the ownership patterns (fragmentation of ownership) will impact on the ability to enable housing capacity at the heights and densities specified in clause 4(1)(b) or (c) or Policy 3 and to achieve plan-enabled housing capacity.								
	Can enhance sense of place; research suggests that communities that incorporate heritage, and cultural elements can enhance residents' sense of identity and connection to their environment. Research has indicated that homeowners in SCAs in Auckland are appreciative of a sense of community and having certainty about the look and feel of their neighbourhood in the future.	Can enhance sense of place; research suggests that communities that incorporate heritage, and cultural elements can enhance residents' sense of identity and connection to their environment. Research has indicated that homeowners in SCAs in Auckland are appreciative of a sense of community and having certainty about the look and feel of their neighbourhood in the future.	Can enhance sense of place; research suggests that communities that incorporate heritage, and cultural elements can enhance residents' sense of identity and connection to their environment. Research has indicated that homeowners in SCAs in Auckland are appreciative of a sense of community and having certainty about the look and feel of their neighbourhood in the future.	Social benefits arise from a variety of housing types and this QM contributes to that variety.	Social benefits arise from a variety of housing types and this QM contributes to that variety.	Social benefits arise from a variety of housing types and this QM contributes to that variety.	overshadowing and privacy. Can enhance sense of place; research suggests that communities that incorporate heritage, and cultural elements can enhance residents' sense of identity and connection to their environment. Research has indicated that homeowners in SCAs in Auckland are appreciative of a sense of community and having certainty about the look and feel of their neighbourhood in the future. Some social benefit in enabling more development to occur close to centres, via more people being able to live in accessible locations. Social benefits arise from a variety of housing types and this QM contributes to that variety.	types and this QM contributes to that variety.
Benefits - economic	Low benefit in some locations Benefits to existing landowners in terms of their property values. Research ²⁷ has indicated that people were willing	Low benefit in some locations Benefits to existing landowners in terms of their property values. Research has indicated that people were willing	Low benefit in some locations Benefits to existing landowners in terms of their property values. Research has indicated that people were willing	Moderate benefit in some locations Benefits to people wanting to move into the area, as the loss of the SCA Overlay and subsequent increase in	High benefit in some locations Benefits to people wanting to move into the area, as the loss of the SCA Overlay and subsequent increase in	High benefit in some locations Benefits to people wanting to move into the area, as the loss of the SCA Overlay and subsequent increase in	Moderate benefit in some locations Benefits to people wanting to move into the area, as the loss of the SCA Overlay and subsequent increase in	High benefit Benefits to people wanting to move into the area, as the loss of the SCA Overlay and subsequent increase in housing capacity may

²⁷ Bade, D. et al. (2020) 'The price premium of heritage in the housing market: evidence from Auckland, New Zealand', *Land Use Policy*, Volume 99, December 2020, 105042, accessed from: <https://www.sciencedirect.com/science/article/abs/pii/S0264837719317016>.

Qualifying matter	Option 1 – retain the overlay and related provisions with no amendment	Option 2 – retain the overlay with an amended spatial extent (based on the site-specific survey of special character values) and apply the Single House Zone (SHZ)	Option 3 – retain the overlay as per Option 2, but enable the heights and density requirements by not applying the SHZ	Option 4 – reduce the spatial extent of the overlay within the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 5 – remove the overlay from the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 6 – remove the overlay from all Policy 3 areas, but retain it elsewhere as per Option 2	Option 7 – retain the overlay in Policy 3 areas as per Option 2 (based on site-specific survey), and retain the overlay elsewhere without changing the spatial extent (i.e., retain it elsewhere as per the operative AUP)	Option 8 – do not apply the SCA Overlay as a qualifying matter as either a qualifying matter or a planning constraint
Note: this evaluation is based on theoretical housing supply/capacity. Many sites within the overlay are small, with narrow road frontages. These factors and the ownership patterns (fragmentation of ownership) will impact on the ability to enable housing capacity at the heights and densities specified in clause 4(1)(b) or (c) or Policy 3 and to achieve plan-enabled housing capacity.								
	to pay 4.3% more to live in a property within a special character area in Auckland between 2006 and 2016.	to pay 4.3% more to live in a property within a special character area in Auckland between 2006 and 2016.	to pay 4.3% more to live in a property within a special character area in Auckland between 2006 and 2016.	housing capacity would be expected to result in cheaper housing. Benefits to some existing landowners in terms of their property values. Research has indicated that people were willing to pay 4.3% more to live in a property within a special character area in Auckland between 2006 and 2016. With few sites retained in some locations within the SCA Overlay, it is possible the remaining sites will be at a premium for their amenity value. However, these costs are uncertain (see possible economic costs above).	housing capacity may help to moderate housing price increases in central areas. ²⁸	housing capacity may help to moderate housing price increases in central areas.	housing capacity may help to moderate housing price increases in central areas. Benefits to some existing landowners in terms of their property values. Research has indicated that people were willing to pay 4.3% more to live in a property within a special character area in Auckland between 2006 and 2016. With few sites retained in some locations within the SCA Overlay, it is possible the remaining sites will be at a premium for their amenity value. However, these costs are uncertain (see possible economic costs above).	help to moderate housing price increases in central areas. No administrative and/or resource consenting costs for Council and landowners associated with implementing the SCA Overlay provisions.
Benefits – environmental	High benefit Will maintain and enhance identified special character values. Likely to contribute to the retention of trees and vegetation. Less demolition of buildings, which minimises impact on landfills from demolition waste.	High benefit Will maintain and enhance identified special character values. Likely to contribute to the retention of trees and vegetation. Less demolition of buildings, which minimises impact on landfills from demolition waste.	High benefit Will maintain and enhance identified special character values. Likely to contribute to the retention of trees and vegetation. Less demolition of buildings, which minimises impact on landfills from demolition waste.	Moderate benefit in some locations Benefits in reduced emissions associated with greater consolidation of residential activities adjacent to centres and other accessible locations.	Moderate benefit in some locations Benefits in reduced emissions associated with greater consolidation of residential activities adjacent to centres and other accessible locations.	Moderate benefit in some locations Benefits in reduced emissions associated with greater consolidation of residential activities adjacent to centres and other accessible locations.	High benefit Will maintain and enhance identified special character values. Likely to contribute to the retention of trees and vegetation. Less demolition of buildings, which minimises impact on landfills from demolition waste. Some benefit in terms of reduced emissions associated with greater consolidation of	Moderate benefit Benefits in reduced emissions associated with greater consolidation of residential activities adjacent to centres and other accessible locations.

²⁸ PC120 Strategic overview section 32 report.

Qualifying matter	Option 1 – retain the overlay and related provisions with no amendment	Option 2 – retain the overlay with an amended spatial extent (based on the site-specific survey of special character values) and apply the Single House Zone (SHZ)	Option 3 – retain the overlay as per Option 2, but enable the heights and density requirements by not applying the SHZ	Option 4 – reduce the spatial extent of the overlay within the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 5 – remove the overlay from the walkable catchments of Maungawhau (Mount Eden), Kingsland and Morningside train stations, but retain it elsewhere as per Option 2	Option 6 – remove the overlay from all Policy 3 areas, but retain it elsewhere as per Option 2	Option 7 – retain the overlay in Policy 3 areas as per Option 2 (based on site-specific survey), and retain the overlay elsewhere without changing the spatial extent (i.e., retain it elsewhere as per the operative AUP)	Option 8 – do not apply the SCA Overlay as a qualifying matter as either a qualifying matter or a planning constraint
Note: this evaluation is based on theoretical housing supply/capacity. Many sites within the overlay are small, with narrow road frontages. These factors and the ownership patterns (fragmentation of ownership) will impact on the ability to enable housing capacity at the heights and densities specified in clause 4(1)(b) or (c) or Policy 3 and to achieve plan-enabled housing capacity.								
							residential activities adjacent to centres and other accessible locations.	

5.4 Analysis of options

Table 6 below shows a simplified version of the costs and benefits of each option, with high costs and low benefits coloured red, moderate costs and benefits coloured orange and low costs and high benefits coloured green.

Table 6: Summary of costs and benefits of options

Cost & Benefit	<u>Option 1</u> Retain operative overlay	<u>Option 2</u> Amend overlay based on values + SHZ	<u>Option 3</u> Amend overlay based on values & no SHZ	<u>Option 4</u> Reduce SCA in 15-storey WCs but retain based on values elsewhere	<u>Option 5</u> No SCA in any 15- or 10-storey WCs but retain based on values elsewhere	<u>Option 6</u> No SCA in any Policy 3 locations but retain based on values elsewhere	<u>Option 7</u> Retain & amend overlay within WCs based on values & retain as operative elsewhere	<u>Option 8</u> Delete SCA Overlay
Costs: Housing supply	Variable – low to high	Variable – low to high	Variable – low to high	Variable – low to high	Variable – low to high	Variable – none to low	Variable – low to high	None/low
Costs: Social	Moderate	Moderate	Moderate	High	High	High	Moderate	High
Costs: Economic	Moderate	High	Moderate	Moderate	High	Moderate	High	Moderate
Cost: Environmental	Moderate	Moderate	Moderate	High	High	High	High	High
Benefits: Social	High	High	High	Moderate	Moderate	Moderate	High	Moderate
Benefits: Economic	Low	Low	Low	Moderate	High	High	Moderate	High
Benefits: Environmental	High	High	High	Moderate	Moderate	Moderate	High	Moderate

All options have some high cost associated with them.

Options 1 and 7 have been discounted because these two options do not fully reflect the site-specific survey of special character values – both these options proposed to retain areas of the SCA Overlay which have been evaluated as not meeting the threshold of at least two out of three properties strongly contributing to the values of the area which they are within. Retaining such areas in light of the requirements of clause 4(1)(b) and (c) and Policy 3 or where the overlay is a planning constraint is not justified.

All the options have some level of benefit, but these benefits are split between different communities and people depending on which option is considered. Options 2 and 3 have more benefits to those communities living within areas subject to the SCA Overlay, whereas Options 4, 5, 6 and 8 are likely to benefit people wishing to move into these areas.

Options 2 and 3 are similar in terms of costs and benefits, although Option 2 is considered to have an advantage as there will likely be lower economic costs. Options 4, 5 and 6 have the similar costs and benefits but for different areas. Options 5 and 6 have less impact on housing capacity as they do not apply the SCA Overlay to any walkable catchments, whereas Option 3 applies the overlay to areas where special character values have been identified except within the walkable catchments of the Maungawhau (Mount Eden), Kingsland, Morningside, Baldwin Avenue and Mount Albert train stations. Option 8 is the only option that has little to no cost to plan-enabled housing capacity.

The benefits and costs of options 2, 3 and 8 would apply everywhere, while the benefits and costs relating to Options 4, 5 and 6 apply to different areas, depending on what is proposed.

While Option 8 would provide for full implementation of clause 4(1)(b) and (c) and Policy 3, this option would generate considerable cost in relation to the loss of special character values and loss of amenity for existing neighbourhoods.

Given the high costs associated with all options that have been evaluated, determining the most appropriate option for achieving the purpose of PC120 and the provisions of the AUP Chapter B5 and D18 is challenging. It is especially challenging because modelling indicates that PC120 will likely deliver the same housing capacity as that enabled by PC78 while retaining areas of SCA Overlay.²⁹ It is also especially challenging when it is clear that the SCA Overlay, which has been identified and managed in Auckland for decades, contributes to its distinctive features and is clearly of value to Aucklanders. Option 2 has the lowest cost (all other options have more than one high cost). Options 2 and 3 have the highest benefits. However, the requirement to provide development of up to 15 storeys in some of Auckland's most accessible walkable catchments and the fact that further analysis work has been undertaken in these areas means that, on balance, Option 4 is considered the most appropriate option.

²⁹ PC120 Strategic overview section 32 report.

5.5 Amendments to the SCA Overlay where it is not a qualifying matter (outside Policy 3 areas)

Amendments are proposed in PC120 to the extent of the SCA Overlay outside of areas specified in clause 4(1)(b) and (c) and Policy 3. The SCA Overlay outside these areas is not a qualifying matter but is a planning constraint. While areas outside Policy 3 locations are not subject to any specific height and density requirements, Schedule 3C of the RMA still applies. Schedule 3C has specific requirements for Auckland Council if PC78 is withdrawn, which was the result of PC120 being notified:

(4) Requirements for Auckland Unitary Plan if Plan Change 78 withdrawn

(1) Auckland Council must amend the Unitary Plan to:

- (a) provide at least the same amount of housing capacity that would have been enabled if Plan Change 78 (as notified) were made operative.*

Outside Policy 3 areas, PC120 proposes to apply the SCA Overlay to 670 ha, which is approximately the same land area proposed to be subject to the overlay in PC78 (although it should be noted that some sites are proposed to be added and removed in different areas to respond to submissions on PC78). The overlay is present across a significant area so still has the ability to impact on the provision of housing supply.

As already discussed, all sites within the SCA Overlay were subject to a site-specific analysis to determine their level of contribution to the area they are within, including those that are a planning constraint. The areas of SCA Overlay proposed to be retained as a planning constraint have been demonstrated to be of sufficient special character value to be retained as, within these areas, at least two out of three properties strongly contribute to the area.

Outside Policy 3 areas, sites that are no longer proposed to be subject to the SCA Overlay are proposed to be upzoned to THAB if within an identified corridor, or to Residential – Mixed Housing Urban (**MHU**), unless the property is subject to another qualifying matter (which may result in the site being ‘down-zoned’). As already discussed, the SCA Overlay manages height (up to two storeys) and density (up to three dwellings per site). In contrast:

- THAB provides for residential development of up to six storeys, and
- MHU provides for development of up to three dwellings of up to three storeys as a permitted activity (plus resource consent for new buildings and subject the standards of the zone).

Within the MHU zone, resource consent is required for more than three residential units, to enable the design and layout of the proposed development to be assessed. This rule recognises the need to achieve quality design is important as the scale of development increases. More than three dwellings in MHU are a restricted discretionary activity. In contrast, more than one dwelling per site (other than the conversion of a principal dwelling or a minor dwelling) is a non-complying activity in the SHZ, which underlies the SCA Overlay. This non-complying status signals that this type of activity is not anticipated within the zone. In addition, the objectives, policies and other provisions of the SHZ strongly signal that

intensification beyond the limited exceptions would be contrary to the zone, whereas in MHU such intensification is encouraged. For example, within the MHU the matters of discretion for restricted discretionary activities for more than three units are again focused on design matters, not the number of units.

The section 32 report that sets out the Strategic Overview for PC120 sets out that any reduction in relation to the SCA Overlay would need to be justified on urban efficiency arguments, where it can be shown that efficiency benefits outweigh the amenity, character and identity benefits of the special character areas. As already explained, the site-specific analysis of the overlay was based on a survey of each site within the overlay, with thresholds set to evaluate whether an area (or sub-area) within the SCA Overlay should be retained. Outside walkable catchments, special character expert advice is that the characteristics of the SCA Overlay exist where at least two of every three (or 66 percent of) properties contribute to the values of the area. The areas that met this threshold are those that are proposed to be within the overlay in PC120, where located outside a walkable catchment.

The amenity, character and identity benefits of the areas that are not proposed to be subject to the SCA Overlay in PC120 are lower than those that are proposed to be included; the sites and areas to be removed did not meet the required threshold to show that they exhibited special character values. It is therefore not efficient to apply the AUP special character provisions to these sites and areas, as this will cause cost to landowners and the Council to process and monitor resource consents for properties that do not contain sufficient value to have the provisions apply. Accordingly, it is not appropriate that the areas that did not meet the necessary special character threshold are included within the SCA Overlay.

5.6 Proposed changes to AUP to accommodate the qualifying matter and planning constraint

Amendments proposed to Chapter D18

The following amendments are proposed to the provisions of Chapter D18 to accommodate the qualifying matter:

- The addition of a sentence at the start of Chapter D18 identifying that the overlay is a qualifying matter.
- Deletion of some of the special character area names in the table in Chapter D18.1 Background, to consolidate this list (i.e., refer to Isthmus B, rather than individual suburbs in Isthmus B) and remove reference to overlay areas that are proposed to be deleted in PC120 (e.g., Station Road).
- The addition of a sentence to Chapter D18.1 Background to advise plan users that the location and extent of the SCA Overlay is shown on the planning maps, instead of in Schedule 15, and the associated removal of the table listing all the areas.
- Deleting of the reference in Chapter D18.1 Background to special character areas where the maps were previously only provided for in the AUP planning maps (now all SCA Overlay areas are shown only in the planning maps).
- The addition of a sentence at the start of D18.2 Objectives, to make it clear the first three objectives relate to both residential and business SCA Overlay areas.

- The addition of information relating to D18.4 Activity table to advise plan users:
 - that the rules and standards in the SCA Overlay are in addition to the rules and standards of the underlying business zones, and
 - that the rules for subdivision in the SCA Overlay are located in Chapter E38.
- Amendments to Table D18.4.1 Activity table – Special Character Areas Overlay – Residential:
 - The addition of a column that identifies the standards that need to be complied with for each development activity, and appropriate standards added to development activities.
 - An amendment to rule A1 to replace the word ‘restoration’ with ‘maintenance’, as the word maintenance is more commonly understood and better aligns with the objectives and policies of the overlay.
 - An amendment to rule A3 to identify that properties subject to the demolition control rule can be found in the planning maps.
 - The addition of new rules:
 - total or substantial demolition not otherwise subject to rule A3 (Rule A3A)³⁰
 - construction of a minor dwelling (Rule A5AA)
 - construction of a minor dwelling that does not meet the standards (Rule A5AB)
 - new fences and walls, and alterations to existing fences and walls (Rule A5B)
 - new fences and walls, and alterations to existing fences and walls that do not comply with the standards (Rule A5C).
- The addition of a new standard for minor dwellings (D18.6.1A.2).
- The addition of purpose statements to existing standards.
- Amendments to Standard D18.6.1.1 Building height to identify a 10m height in Isthmus B areas.
- Amendments to Standard D18.6.1.2 Height in relation to boundary to clarify the permitted rules around common walls, legal rights of way/access ways, and gable ends and dormers.
- Amendments to Standard D18.6.1.3 Yards, to provide for variation in the standard depending on whether the site is a front or rear site.
- Amendments to Standard D18.6.1.6 Maximum impervious area, to make this standard consistent with the same standard in other parts of the AUP.
- Amendments to Standard D18.6.1.7 Front, side and rear fences and walls, to refine the standard so that it applies differently to front, side and rear boundaries, and to corner sites.
- Amendments to D18.8.1.1(3) Matters of discretion, to clarify the matters for buildings that do not comply with particular standards.
- Amendments to D18.8.2 Assessment criteria, as follows:
 - Deletion of references to the Station Road, Papatoetoe special character area, as it is proposed to be removed as part of PC120.

³⁰ PC120 proposes to amend the application of Rule A3, as discussed in Section 5.1 of this report.

- Minor amendments for sense.

Rules in Activity table D18.4.1 and in D18.6 Standards that impact on height and/or density are proposed to be tagged as a qualifying matter (this affects rules and/or standards for demolition, removal and relocation, new buildings, additions and alterations etc.).

Overlays, including the Special Character Overlay, are identified in the Unitary Plan to manage the protection, maintenance or enhancement of particular values associated with an area or resource. Overlays generally apply more restrictive rules than the Auckland-wide, zone or precinct provisions that apply to a site, but in some cases, they can be more enabling. Overlay rules apply to all activities on the part of the site to which the overlay applies unless the overlay rule expressly states otherwise.

For the SCA Overlay, clause 4(1)(b) and (c) and Policy 3 are incompatible with the Chapter D18 provisions that manage the special character values of these areas. The effect of the overlay is to enable for low-scale development to maintain and enhance the special character values of the area and control the scale and design of new dwellings and alterations and additions to existing buildings to ensure new development also maintains and enhances identified special character values.

A zoning that enables at least six, ten or 15 storey development will likely lead to development that will cause the loss of the qualities and characteristics that the AUP provisions seek to maintain and enhance. Allowing for the bulk and location of buildings enabled by clause 4(1)(b) or (c) or Policy 3 within the overlay is likely to detract from special character values. It is therefore considered to be more efficient and effective to amend Chapter D18 to identify that the overlay is a qualifying matter and ensure the rules and standards are appropriate to maintain and enhance the special character values of the areas subject to the overlay. If Chapter D18 was not amended, plan users may be unaware that the overlay and some of its rules are identified as a qualifying matter. The proposed changes to the rules and standards are also required to clarify the provisions for plan users in the light of the increased pressure to intensify.

The proposed amendment of the demolition control rule is considered an appropriate response to the requirements of clause 4(1)(b) and (c) and Policy 3. Demolition of buildings within the overlay is a density control, so restricting the demolition control rule to those sites where buildings contribute to the special character values of an area is an efficient and effective method to distinguish between different levels of contribution to the overlay.

Amendments proposed to Schedule 15

PC120 proposes amendments to Schedule 15, primarily to reflect the proposed changes to the spatial extent of the SCA Overlay:

- Sections are deleted, where an overlay area is proposed to be deleted (e.g., 15.1.7.10 Special Character Areas Overlay – Residential: Station Road, Papatoetoe),
- Text amendments are proposed to update information arising from proposed changes to the spatial extent of the overlay, including removing information that

relates to individual properties, streets and/or areas of the overlay that are proposed to be removed.

- The maps showing the sites subject to the demolition control rules are proposed to be deleted, as this information is hard to read and is proposed to be shown in the planning maps (refer to the following section).
- Minor amendments for sense, clarity and grammar are also proposed throughout Schedule 15.

The proposed amendments to Schedule 15 are an effective and efficient way of achieving the objectives of PC120 as they align with the proposed changes to the planning maps that amend the spatial extent of the overlay.

Amendments to planning maps

PC120 proposes amendments to planning maps. Following the site-specific survey of the SCA Overlay to identify where special character is a qualifying matter, amendments have been made to the planning maps to show where this qualifying matter exists (both as a qualifying matter and as a planning constraint). The proposed amendments reduce the spatial extent of the overlay by around one-quarter from the extent of the overlay in the operative AUP.

The property summary, which is part of the planning maps, is proposed to be updated as part of PC120 for properties subject to the SCA Overlay. The proposed amendments show:

- Whether a property is subject to the demolition control rule, and
- What special character area a property is within (e.g., Isthmus B1, B2 or B3, Isthmus C2 or C2, North Shore Area A, B or C).

The changes to the property summary are efficient and effective because, in some cases, the information about whether a property is subject to the demolition control rule and what special character area a property is within is both hard to find in Schedule 15 (the schedule is over 270 pages long) and is hard to see in Schedule 15 (due to the scale of the maps). It is not helpful to plan users if site-specific information about the SCA Overlay is hard to locate or difficult to read. It is considered more efficient and effective to include this information in the planning maps.

5.7 Risks of acting or not acting

Section 32(2)(c) of the RMA requires this evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

There is certainty in terms of the information about the special character values within the SCA Overlay because each site within the overlay has been surveyed and subject to a site-specific analysis. However, there is less certainty about the ability to realise the capacity sought, due to the size and shape of sites subject to the SCA Overlay and the current land ownership. While this is not a reason to avoid enabling the heights and densities sought in clause 4(1)(b) and (c) and Policy 3, it may be a reason to be somewhat cautious about the removal of the SCA Overlay. If the overlay is removed, a possible outcome is the demolition of a single special character dwelling and replacing it with several townhouses, depending on the size and shape of the site. This would lead to both the erosion of special character values and locking in a density pattern much lower than what is required.

5.8 Effectiveness and efficiency

The overall objective (purpose of the proposal) of PC120 is to implement clause 4(1)(b) and (c) of Schedule 3C of the RMA and Policy 3 of the NPS-UD. The RPS objective for special character seeks to maintain and enhance the character and amenity of identified special character values. It is not efficient or effective to fully apply clause 4(1)(b) or (c) or Policy 3 to all areas of the SCA Overlay and enable at least six, 10 or 15 storeys. This is because the overlay manages a built form of predominantly one to two storeys and enabling height that will lead to the development of significantly higher buildings is likely to impact on the values and characteristics of the SCA Overlay.

5.9 Description of how the qualifying matter is to be implemented

The qualifying matter is to be implemented by identifying it as subject to the SCA Overlay. Each site in the overlay has been subject to a site-specific analysis, resulting in a proposed reduction in the spatial extent of the SCA Overlay. The reduced spatial extent of the overlay will provide more residentially zoned sites that are not subject to the overlay, which will assist with providing building heights and densities required by clause 4(1)(b) and (c) and Policy 3. The proposed extent of the overlay outside of these areas is also reduced compared to the operative AUP, which will assist Council in meeting the housing capacity targets that are required.

The overlay is depicted on the plan maps in the same way the operative AUP identifies it, with a pattern of blue squares (the overlay is a qualifying matter where it is shown on the maps within walkable catchments and areas subject to Policy 3(d)). Overlay areas are described in Schedule 15.

The relevant provisions for the qualifying matter are contained in the AUP Chapters B5, D18 and in Schedule 15. Where a rule impacts the ability to enable height and/or density, it will be identified in the AUP as a qualifying matter rule.

This method is the most efficient and effective way of implementing the qualifying matter, as it ensures building heights are set at a level that will not impact on the values of the SCA Overlay, while allowing taller development via a resource consent, where the proposed development can be shown to maintain and enhance the special character values of an area.

5.10 Overall conclusion

The implications of the qualifying matter and planning constraint on the development capacity to be enabled by clause 4(1)(b) and (c) of Schedule 3C of the RMA and Policy 3 of the NPS-UD in the areas where the overlay applies are variable. In some locations, the impact is greater than in others. The qualifying matter is proposed to apply to:

- 30 ha of land within the walkable catchments where at least 15 storeys is required (11 percent of the land area within these walkable catchments);
- 23 ha of land within the walkable catchments where at least ten storeys is required (11 percent of the land area within these walkable catchments);
- 163 ha of land within other walkable catchments (2.5 percent of the land area), and

- 121 ha of land in Policy 3(d) areas.

Outside Policy 3 areas, the SCA Overlay is proposed to apply to 700 ha of land as a planning constraint.

Applying the qualifying matter requires clause 4(1)(b) and (c) of Schedule 3C of the RMA and Policy 3 of the NPS-UD to be modified to accommodate the qualifying matter. This modification is in the form of lower height (up to two storeys) and density (up to three dwellings per site) provisions (although greater development is provided for via a resource consent). The proposed modification of the policy requirements is considered appropriate as it will enable identified special character values, which are important values to the Auckland region, to be maintained and enhanced.

Appendix 1 – Information Used

Name of document, report, plan	How did it inform the development of the plan change
AUP - B5 Ngā rawa tuku iho me te āhua - Historic heritage and special character	Sets out special character as a key issue, with the particular character and amenity values of special character areas to be maintained and enhanced.
AUP – Chapter D18 Special Character Areas Overlay – Residential and Business	Sets out the objectives, policies and rules for retaining and managing the special character values of specific residential and business areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region.
AUP – Schedule 15 Special Character Schedule, Statements and Maps	Identifies special character areas that have been identified and evaluated as being of sufficient value to be included in the AUP special character schedule. The schedule includes a character statement for each area, which includes a summary of the special character values and physical and visual qualities for each special character area and how the elements interrelate and contribute to the predominant character of the area.
AUP maps	Identifies the location and extent of special character areas.
Statistics from GIS detailing the land area subject to the Special Character Overlay	Provided information on the level of impact of modifying Policy 3 and MDRS for the Special Character Overlay as a qualifying matter.

Appendix 2 – Consultation summary

The First Schedule to the RMA sets out the relevant consultation requirements. Limited consultation on PC 120 has been undertaken, and this is detailed in the Auckland Council September 2025 reports entitled:

- CONSULTATION AND ENGAGEMENT ON A PROPOSED PLAN CHANGE POTENTIALLY REPLACING PROPOSED PLAN CHANGE 78 – INTENSIFICATION SUMMARY REPORT
- MĀORI ENGAGEMENT CONSULTATION SUMMARY REPORT.