



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

to the Auckland Unitary Plan (Operative in part)

SECTION 32 OF THE RESOURCE MANAGEMENT ACT 1991

CHAPTER A INTRODUCTION AND CHAPTER C GENERAL RULES

EVALUATION REPORT

Table of Contents

Executive Summary	3
Introduction	4
Section 32 Evaluation	4
The Evaluation Approach	4
Issues	6
Development of Options.....	7
Description of Options	7
Evaluation of Options	7
Reasons for the Proposed Plan Change	8
Statutory Evaluation under the RMA	8
National and Regional Planning Context.....	11
Development of Plan Change	16
Information Used	16
Consultation	17
Evaluation of Provisions	17
Conclusion	19
List of Attachments	19
Attachment 1.....	22

Executive Summary

The Auckland Housing Planning Instrument has been enabled by the Resource Management Act (Consenting and Other System Changes) Amendment Act 2025. The overall purpose of the plan change is outlined in the strategic s32 report .

Chapter A-Introduction of the Unitary Plan outlines the purposes of the Unitary Plan, Plan Structure, functions, and layout of the Plan. Chapter A has been revised to describe how qualifying matters are identified in the Plan, how they are annotated and where they appear (zones, overlays and precincts, schedules, maps).

Chapter C outlines the approach to rule interpretation and different consent categories. The key changes to this section relate to each precinct specifying whether the overlay or precinct provisions take precedence.

Introduction

This report is prepared as part of the evaluation required by Section 32 of the Resource Management Act 1991 (**'the Act'**) for proposed Plan Change Auckland Housing Intensification Plan (**PPC120**) to the Auckland Unitary Plan (Operative in Part) (**AUP**).

Plan Change 120 has two key components:

- 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 implementing the medium density residential standards (MDRS) that complies with clause 4 of Schedule 3C of the RMA by:
 - providing at least the same amount of housing capacity that 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 heights and densities specified in clause 4(1)(b) and (c) of Schedule 3C of the RMA within at least a walkable catchment of Maungawhau (Mt Eden), Kingsland, Morningside, Baldwin Avenue and Mount Albert Stations;
 - giving effect to Policy 3(c) and 3(d) of the National Policy Statement on Urban Development (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 where authorised to do so by clause 8 of schedule 3C.

Amendments to Chapter A, the Introduction of the combined Auckland Unitary Plan, outline what a qualifying matter is, how they are annotated and where they appear (zones, overlays and precincts, schedules, maps). Chapter C changes specify whether the overlay or precinct provisions take precedence.

Section 32 Evaluation

Section 32 of the Act requires that before adopting any objective, policy, rule or other method, the Council shall carry out an evaluation to examine:

- The extent to which each objective is the most appropriate way to achieve the purpose of the Act, and
- Whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objective.

The evaluation must also take into account:

- The benefits and costs of policies, rules, or other methods; and

- The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

The Evaluation Approach

This section outlines how changes to Chapter A and C have been evaluated. The rest of this report will follow the evaluation approach described in the table below. In accordance with section 32(6) of the RMA and for the purposes of this report:

- the 'proposal' means the changes to Chapters A and C.
- the 'objectives' means the objectives of the plan change (noting no objectives are changed because of changes to these chapters); and
- the 'provisions' means the standards/changes to text.

Sections of this report	Evaluation Approach
Section 2: Issues	This part of the report will explain the resource management issues and why there is a need to resolve them. It also addresses the scale and significance of the issues.
Section 3: Objectives	This part of the report will outline the purpose of PC120.
Section 4: The development and evaluation of options	In accordance with section 32(1)(b) and (2) of the RMA, this section examines whether the options appropriately achieve the objectives of the AUP and the sustainable management purpose of the RMA. The options are assessed by their efficiency and effectiveness, costs, benefits, and risks to resolve the RMA issue.
Section 5: Reasons for the proposed plan change	In accordance with subsections 32(1)(a) and (1)(b)(iii) of the RMA, this part of the report examines the extent to which the objectives of the proposal (PC120) are the most appropriate way to achieve the purpose of the RMA. This section outlines the reasons for PC120 and the scope of PC120.
Section 6: Statutory evaluation	This part of the report evaluates the relevance of PC120 to Part 2 (sections 5-8) and other relevant parts / sections of the RMA.
Section 7: National and local planning context	This part of the report evaluates the relevance of PC120 against the national and local planning context.
Section 8: Development of the plan change	This part of the report outlines the methodology and development of PC120, including the information used and consultation undertaken in preparing PC120. This section includes a summary of all advice received from iwi authorities on PC120 (as required by section 32(4)(a) of the RMA).
Section 9: Evaluation of provisions	This part of the report outlines the evaluation conducted on individual issues contained within PC120.
Section 10: Conclusion	This part of the report concludes that PC120 is the most efficient, effective, and appropriate means of addressing the resource management issues identified.

This section 32 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.

Issues

1. Enabling housing in the right places while addressing risks from natural hazards such as flooding and coastal erosion/inundation is the key purpose of PC120. The Resource Management (Consenting and Other System Changes) Amendment Act came into effect on 21 August 2025. It enables Auckland Council to withdraw PC78 in part provided that the council notifies a replacement plan change that provides 'at least the same capacity that would have been enabled if PC78 (as notified) were made operative' and meets other statutory requirements relating to heights of at least 15 storeys within the walkable catchments of Maungawhau (Mt Eden), Kingsland, and Morningside stations and enable within walkable catchments of the Baldwin Avenue and Mt Albert Stations building heights of at least 10 storeys¹.
2. On 21 August 2025 the Policy and Planning Committee resolved:
PEPCC/2025/123 ²That the Policy and Planning Committee:
A) whakaae/approve the draft replacement plan change (attachments A to X to the agenda report) for the purposes of consultation with iwi authorities, adjoining councils, and government ministries, and seeking local board views on a draft replacement plan change that would be required if the council makes a decision to withdraw in part, Proposed Plan Change 78- Intensification.
B) tuhi tipoka/note that the key differences between Proposed Plan Change 78- Intensification and the draft replacement plan change are set out in paragraph 25 of the agenda report.
C) tuhi/tipoka/note that where any errors in the draft replacement plan change maps (appended to this report) are identified, that these maps will be updated for local boards and adjustments noted.
D) tihi/tipoka/note that the Ministry for the Environment have confirmed that there will be submissions and hearings on the plan change.
E) Tono/request that the Mayor and Chair of the Policy and Planning Committee seek urgent discussions with the Minister for Resource Management Reform about council's expectations for the public to have their say in submissions and hearings, including an extended submission timeframe and the hearings process.
CARRIED
3. Plan Change 78 was the Council's Intensification Planning Instrument that implemented the government's requirements for Medium Density Housing Standards (MRDS) in all relevant residential zones across Auckland. The main problems with PC78 related to the inability to 'down-zone' sites subject to natural hazards, the MDRS

¹ Refer Schedule 1, Part 1 Clause 4(1)(a)-(d)

²

https://infocouncil.aucklandcouncil.govt.nz/Open/2025/08/20250821_PEPCC_MIN_13693_EXTRA.PDF

enabled poor urban form and PC78 excluded the Auckland Light Rail Corridor in central Auckland. PC120 replaces PC78 in Policy 3(c) and 3(d) locations.

4. The scale of the issue is significant affecting urban Auckland town and local centres, neighbourhoods and will influence how development occurs in rural locations due to proposed changes to the natural hazards and subdivision standards. Plan Change 120 is significant as it will provide for more intensification in urban Auckland and will exclude or curtail the amount of development that may occur in areas subject to natural hazards.

Development of Options

Description of Options

1. Describe the **criteria and methodology** used to come up with these options (i.e. this is not just an explanation of what the options are, but how you came up these options)
2. The options below have been developed by looking at realistic choices that could be made to progress changes to Chapters A and C at this time. Chapter A is the introduction to the Plan and gives plan users quick guidance on where they can expect to find provisions. It needs to provide an overview of where qualifying matters are found and how they are expressed. Chapter C provides guidance on the rules structure.
3. The three options have been derived by looking at when change to these chapters could logically occur, given the Resource Management (Consenting and Other System Changes) Amendment Act 2025. In other words, if Auckland Council progresses PC120 as its replacement plan change to PC78, when could this occur.
4. The status quo option is a 'do nothing' option. Option 2 is to make the changes outlined in the text of Chapter A and C to the Plan to support a replacement/partial replacement for PC78. Option 3 would involve only making changes at a later date.

Evaluation of Options

5. Describe criteria used to evaluate the options. Evaluation options according to - i.e. appropriateness, effectiveness, efficiency, costs etc. refer to the table below.

	Status Quo (do nothing)	Option 2 (preferred – undertake a plan change)	Option 3 (leave to later and do a policy plan change)
Appropriateness	X	√	X
Effectiveness	X	√	X
Efficiency	X	√	X
Costs	√	√	X
Benefits	X	√	X
Risks	√	√	√

6. The status quo option would involve making no changes to the AUP at this time. There would be a cost-saving to this option, but it would also carry risks primarily related to

not accurately guiding plan users on QMs, how to use the plan or interpret specific provisions. It is not considered to be the best option. Option 3 would involve making no changes to the AUP and leaving it to a later plan change to resolve these issues. This would not work because both Chapters A and C are required to help interpret the plan and support how qualifying matters are structured. Option 2 is preferred because these chapters are part of a suite of changes required to the AUP to implement the Auckland Housing Planning Instrument. It makes sense to promulgate changes to all relevant parts of the plan at the same time.

7. The Recommendation is option 2 moving forward with a plan change (option 2 preferred).

Reasons for the proposed plan change

1. Plan Change 120 has two key components:
 - 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 implementing the medium density residential standards (MDRS) 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.
2. Rationale for the plan change is to enable Auckland to grow 'up and out' in the right places, whilst discouraging housing and other sensitive land uses on hazard-prone land.
3. Only those provisions that are proposed to be changed through this plan change are in scope. Any other changes sought by submitters may be 'out of scope'.

Statutory Evaluation under the RMA

1. Schedule 1 of the RMA has been amended through the Resource Management (Consenting and Other System Changes) Amendment Act 2025 enables Auckland Council to withdraw all or part of Plan Change 78, unless it has become operative, or the Minister has notified the Council of a decision on a recommendation.
2. The City Centre provisions of PC78 have already become operative and Council is expecting the Independent Hearings Panel to issue its recommendations on the Business Metropolitan Centre zone provisions sometime in September.
3. If PC78 is withdrawn in part the AUP must be amended to provide at least the same amount of housing capacity that would have been enabled if PC78 (as notified) were made operative; and provide for at least 15 storeys in the Mt Eden, Kingsland, and Morningside station walkable catchments. Schedule 1 Clause 4(1)(a)-(d) RMA quoted in full below states:

(1) Auckland Council must amend the Auckland 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 and

(b) enable, within at least a walkable catchment of the Maungawhau (Mount Eden), Kingsland, and Morningside Stations,-

(i) heights and densities commensurate with the greater of-

(A) demand for housing and business use in those locations; or

(b) the amount of housing and business use that is appropriate given the level of accessibility to commercial activity and community services in those locations; and

(ii) in all cases, building heights of at least 15 storeys in those locations; and

(c) enable, within at least a walkable catchment of the Baldwin Avenue and Mount Albert Stations,-

(i) Heights and densities commensurate with the greater of-

(A) Demand for housing and business use in those locations; or

(B) The amount of housing and business use that is appropriate given the level of accessibility to commercial activity and community services in those locations; and

(ii) In all cases, building heights of at least 10 storeys in those locations; and

(d) give effect to policy 3.
4. Overall, PC120 satisfies Part 2 of RMA by continuing to keep section 6 RMA qualifying matters³ and retaining some other qualifying matters where they can be justified.
5. PC120's relevance to sections 5, 6,7,8 of the RMA is discussed in the table below:

³ Refer Schedule 1 Clause 5(a)-(e) RMA- existing qualifying matters.

RMA 1991	Relevant section	Relevance to Plan Change 120
S5 Purpose	S5(1) S5(2)	PC120 provides for the sustainable management of the Auckland region. It enables growth 'up and out' in the right places and limits housing and other sensitive land uses in hazard prone locations.
S6 Matters of national importance	S6(a)-(h)	PC120 provides for (a)-(h) matters to be recognised as qualifying matters in the AUP. These are explained in Chapter A and the zones, overlays, precincts, schedules, and maps.
S7 Other matters	S7(a)-(j)	PC120 provides for the protection of 'other matters' where this can be justified and is expressed in Chapter A and related parts of the AUP. This is reflected in D13- Notable Trees, D16- Local Public Views, D18 Special Character Residential and Business, D20A Stockade Hill Viewshaft, H3 Single House Zone, areas with long term infrastructure constraints, combined wastewater network, Cogent zoning, Schedules 10,11,15. Chapter E36, E38, comprehensive integrated planning outcomes.
S8 Treaty of Waitangi	In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)	PC120 recognises the principles of the Treaty of Waitangi through D14 the Maunga Viewshafts and Height Sensitive Areas, Chapter D17 Historic Heritage, Chapter D21 Sites and Places of Significance to Mana Whenua and Chapter D12 Waitakere Ranges QM, overlays, and related provisions. The draft version of PC120 has also been consulted on with mana whenua representatives. Some specific precincts recognise features or mana whenua cultural heritage values e.g. Long Bay precinct.

6. This plan change affects the council's regional functions under s30 for natural hazards and the Regional Policy Statement (natural hazards) and is equally concerned with the council's district plan functions under s31 RMA. PC120 will be processed through a Streamlined Planning Process, outlined in the RMA. This provides for a fast-track planning process with oversight from the Minister for RMA reform, a newly formed Independent Hearings Panel with timeframes for hearings and decisions set by the Minister.

National and Regional Planning Context

Relevance to National Policy Statements.

- Chapter A discusses matters required to give effect to the National Policy Statements. Relevant National Policy Statements include: Infrastructure, NZ Coastal Policy Statement, and amendments to National Environmental Standards. Central government has recently concluded consultation this year on a national direction programme which proposes to amend 12 existing national direction instruments and introduce four new national direction instruments.
- Central government has developed:
 - a new National Policy Statement for Infrastructure

- Amendments to the National Policy Statement for Renewable Electricity Generation 2011
 - Amendments to the National Policy Statement – on Electricity Transmission 2008
 - Amendments to Resource Management (national Environmental Standards for Electricity Transmission Activities) Regulations 2009
 - Amendment to Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016
 - New National Environmental Standards for Granny Flats
 - New National Environmental standards for Papakainga
 - New National Policy Statement for Natural Hazards
3. Those National Policy Statements that are in draft, or not National Environmental Standards that have not been finalised have no statutory weight until enacted: The NPS-Electricity Transmission (NPSET) 2008 protects the national grid from the effects of reverse sensitivity on infrastructure by restricting height and density within the corridor. This is expressed in D26- National Grid Corridor Overlay. Changes to E36, E38 and E39 relating to natural hazards have been influenced by central government's draft Natural Hazards Policy and are discussed in more detail in the Natural Hazards Section 32 report. Chapter K Designations, with minor amendments to E26 also enable infrastructure (and other) requiring authorities to undertake works across Auckland.
 4. The New Zealand Coastal Policy Statement has been given effect to through zone objectives, policies and rules, the coastal and cogent zoning QM, subdivision provisions in E38 and E39. Other related provisions include: Coastal setback provisions, Lake Pupuke Qualifying Matter (shown spatially), Chapter L Schedules (2,3 & 6).
 5. The National Policy Statement: Highly Productive Land provides for the protection of highly productive soils and directs urbanisation away from rural locations. Rural subdivision provisions are influenced by E36- Natural hazards chapter and QM.
 6. The National Policy Statement-Urban Development (NPS-UD) has underpinned the development of Auckland's Housing and Business Capacity report, Future Development Strategy and informed PC78 and PC120. It is discussed fully in the Strategic s32 Report.

Relevance to Auckland-specific Legislation

7. The Waitakere Ranges Heritage Area Act 2008 is relevant to the D12 Waitakere Ranges overlay. The Act was set up to protect the Waitakere Ranges by recognising the national, regional, and local significance of the Waitakere Ranges heritage area. The Act defines its heritage features and provides additional matters for Auckland Council and other decision makers to consider when exercising powers or duties that relate to the heritage area. In brief, the national significance of the Waitakere Ranges relates to its biodiversity, regenerating lowland and coastal rainforest, wetland and dune systems, naturally functioning streams that rise in the eastern foothills and

contribute positively to downstream urban character, stormwater management, and flood protection. Its significance also extends to the quietness and darkness of the Ranges, its landform and role it has as the visual backdrop to metropolitan Auckland forming its western skyline. The Waitakere Ranges have significant cultural heritage value to tangata whenua who continue to exercise stewardship over the area. It also contributes to Auckland's water supply through the network of dams and treatment plants in the Ranges. This means that subdivision is carefully controlled within this overlay area and at its edges.

8. The Hauraki Gulf Marine Park Act 2000 was established to integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments. The Hauraki Gulf Marine Park Act not only binds the Crown and Auckland Council but must be interpreted and administered as to give effect to the principles of the Treaty of Waitangi. Section 9 of that Act provides that regional and district plan provisions must not conflict with section 7 and 8 of the Act that recognise the national significance of the Gulf and plan provisions must recognise and protect the values of Hauraki Gulf, its islands, and catchments. The Local Public Views Overlay contained in D16 of the Plan and Schedule 11 relate to six local public views. One of those local public views (Selwyn/Glebe) close to the centre of Howick provides a great opportunity to understand the relationship of Howick with the inner Gulf and its islands⁴.
9. The Nga Mana Whenua o Tamaki Makaurau Collective Redress Act 2014 binds the Crown and was enacted to give effect to certain provisions of the collective settlement deed, which restores ownership of certain Auckland maunga and motu to iwi and hapu, provides mechanisms by which the iwi and hapu may exercise stewardship over the maunga and motu and provides for first right of refusal in respect of certain land to enable iwi to build an economic base. This is given practical expression through the Tupuna Maunga Authority that exercise co-governance of Auckland's maunga. The Act extends to D14 Maunga Viewshafts and Height Sensitive Areas that protect regionally significant views to Auckland maunga. Refer also to section 6 RMA.

Relevance to Regional Planning Documents

10. The Future Development Strategy 2023-2053 was prepared as a requirement of the NPS-Urban Development 2020. The core direction of the Plan is to avoid enabling growth in places that will put current and future residents in harm's way, focus on funding investment where it will achieve the greatest benefit and continue implementing a quality compact growth model.
11. PC120 provides for a clear alignment between growth and intensification and transport infrastructure investment such as RTN and FTN networks. There are some differences between the Auckland Plan and PC120 in so far as PC120 follows the RPS direction for centres and corridors more closely. The Auckland Plan also favours growth in specific investment priority areas. Some of these areas have been derived from joint investment locations between central and local government such as Drury. The

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<https://hearing.aucklandcouncil.govt.nz/h750/Evidence/Auckland%20Council,%20010H,%20Landscape,%20Evidence,%20M%20Absolum.pdf>

investment priority areas also include large landholdings owned by State Owned Enterprise (Kainga Ora) such as Mt Roskill, Mangere, and Northcote.

12. Relevance to Regional Policy Statement – all of the QMs listed in Chapter A give effect to RPS policy directions.

RPS Chapter	Relevant policy	Relevance to Plan Change 120
B2.3- A quality-built environment	B2.3.2 onwards	Land within and adjacent to centres and corridors or in close proximity to public transport or employment is the primary focus for residential intensification.
B2.4 Residential Growth	B2.4.2 onwards	PC120 gives effect to the RPS Policy direction of enabling for a range of housing types and choice. It provides for higher intensity closest to centres, the public transport network, large social facilities, education, tertiary education, healthcare facilities which contribute to a well-functioning urban environment. PC120 enables growth along centres and corridors and provides for lower density in areas subject to environmental constraints or where there are QMs listed in Chapter A that justify limitation. The cogent zoning QM also provides for a logical zoning pattern, giving effect to the RPS direction, and Policy 1 of the NPS-UD to create 'well-functioning urban environments.' Intensification is avoided or mitigated in natural hazard areas
B2.5 Commercial and industrial growth	B2.5.2 onwards	Commercial growth is encouraged on identified growth corridors and centres to provide the primary focus for Auckland commercial growth. PC120 gives effect to this policy direction. Prevent non-industrial activities from establishing on land zoned for heavy industry. Enable the supply of industrial land which has efficient access to freight, rail, ports, and airports. Manage reverse sensitivity effects on industrial land by preventing intensification in or adjacent to heavy industry zones. PC120 restricts height and density in and around industrial zones.
B3.2 Infrastructure	B3.2.2 onwards	PC120 provides for the efficient operation, maintenance, development and upgrading of infrastructure. The combined water and wastewater network QM has been applied in the Isthmus to reflect known infrastructure capacity constraints. PC120 enables the movement of people, goods, and services. Locate high trip-generating activities so that they can be efficiently served by key public transport services and routes and complement surrounding activities by supporting accessibility to a range of transport modes. PC120 gives effect to this spatially and with the associated rules package including QMs.

B4.3 Viewshafts	B4.3.1 onwards	Significant public views to and between Auckland's maunga are protected from inappropriate subdivision, use and development. Significant views from public places to the coastal environment...and other landscapes are protected from inappropriate subdivision, use and development. Protect significant views to and between the maunga Protect the visual character, identity, and form of maunga by: (a) Identifying height sensitive areas around the base of maunga; and (b) Establishing height limits in such areas which controls future development that could encroach into views and erode their significance. Maunga viewshafts are QMs and are protected as a s6 RMA matter.
B4.4 Waitakere Ranges Heritage Area	B4.4.1 onwards	The natural and historic resources, including the significant environmental values and heritage features of the Waitakere Ranges, are protected. Restored and enhanced for the benefit, use and enjoyment of the community. Waitakere Ranges is a QM in PC120.
B4.5 Notable trees	B4.5.1 onwards	Notable trees and groups of trees with significant historical, botanical or amenity values are protected and retained. Notable trees are a QM in PC120
B5.2 Historic Heritage	B5.2.1 onwards	Significant historic heritage places are identified and protected from inappropriate subdivision, use and development.
B5.3 Special Character	B5.3.1 onwards	The character and amenity values of identified special character areas are maintained and enhanced. PC120 recognises Special Character Business and Residential as an 'other matter' QM.
B6 Mana Whenua	B6.2.1 onwards	The principles of the Treaty of Waitangi are recognised and provided for in the sustainable management of natural and physical resources including ancestral lands, water, air, coastal sites, waahi tapu and other taonga. Provide opportunities for Mana Whenua to actively participate in the sustainable management of natural and physical resources including ancestral lands, water, sites waahi tapu and other taonga... Protect Mana Whenua cultural and historic heritage sites and areas which are of significance to Mana Whenua.
B7 Natural resources	B7.2.1 onwards	Areas of significant indigenous biodiversity value in terrestrial, freshwater and coastal marine areas are protected from the adverse effects of subdivision, use and development.

B8 Coastal environment	B8.2 onwards	Avoid or mitigate sprawling or sporadic patterns of subdivision, use and development in the coastal environment. PC120 has a range of protections for the coast from setback rules, zoning, and related QMs- coastal.
B10.2 Natural hazards and climate change	B10.2.2	Identify areas potentially affected by natural hazards, giving priority to those at high risk or in coastal environments. Manage subdivision, use and development of land subject to natural hazards based on the type and severity of events, including occurrence. Adopt a precautionary approach to natural hazard risk assessment. Manage the location and scale of activities that are vulnerable to the adverse effects of natural hazards so that the risks to people and property are not increased. Some down-zoning of coastal land has also occurred in PC120 in response to the risk of significant natural hazards.

13. Analysis of the RPS objectives and policy outcomes supports the district plan overlays and application of qualifying matters to reduce height and density in Policy 3(c) and 3(d) locations.
14. Auckland's Housing and business land capacity assessment identifies how much land Auckland Council has that is zoned and suitable for new residential and commercial development, to ensure that there is enough space to meet projected future demand over the short medium and long term. The Resource Management (Consenting and Other System Changes) Amendment Act 2025 requires that Auckland Council must demonstrate that the Auckland Housing Planning Instrument has certain capacity requirements discussed in paragraph 3 above. Modelling undertaken in support of this plan change is discussed in some detail in the Economy Matters s32 report.

Development of Plan Change

Information Used

1. The following is a list of documents, reports and plans that have informed the edits to Chapter A and C.

Name of document, report, plan	How did it inform the development of the plan change
Resource Management (Consenting and Other System Changes) Amendment Act 2025	The Act defines the legal tests for QMs. This has resulted in a significant reduction in the number of overlays and QMs that are in Policy 3(c) and 3(d) locations.
National Policy Statements (full list referred to earlier in report)	Provides government direction on what councils must do. Chapter A specifically refers to QMs related to National Policy Statements
Regional Policy Statement (discussed earlier in report)	District plan changes must give effect to the policy direction contained in the RPS. For PC120 this means that existing overlays, zones, and schedules have been reviewed for relevant QMs and documented in Chapter A.
Capacity Modelling	Capacity Modelling has indicated where more opportunities for growth, height and density may be feasible. It has also provided metrics on the application of QMs and their effects on capacity.
Review of Overlays, Schedules, Precincts, Zones for QMs	Identified the extent of QMs. These are now annotated in text, maps, schedules and in Chapter A. Review of these sections of the Plan informed edits to Chapter C.

Consultation

1. Refer to consultation s32 report prepared in support of PC120 for a full outline of consultation undertaken with elected members, focus groups, mana whenua.

Evaluation of Provisions

1. This section evaluates technical changes to Chapter A and C (a section 32 analysis of these).
2. The Changes to Chapter A relate to A1.4.5 Identification of designations in the Plan adding in one sentence that 'Some designations in the urban environment are qualifying matters'. Rule A1.4.8 and two related tables: A1.4.8.1-2. The changes are shown below:

3. A1.4.8 Identification of qualifying matters in the Plan

Qualifying matters reduce height or density that would otherwise be applied through Policy 3 of the National Policy Statement on Urban Development 2020 and Schedule 3C, clause 8(1)(a) or (b) of the RMA. Tables A1.4.8.1 and A1.4.8.2 list qualifying matters and indicate where in the plan qualifying matters may be found. Spatially identified qualifying matters are shown on the planning maps.

Qualifying matter provisions and the related planning maps are district plan provisions.

Qualifying matter provisions are identified in the plan with an orange sidebar annotation to assist Plan users. A reference to the relevant section of the RMA is provided.

An example of a sidebar annotation for a qualifying matter provision is as follows:

Qualifying matter as per Sch3C cl8(1)(a) **X2.2 Building coverage.**

(x.x.x) The maximum building coverage must not exceed 35 per cent of the net site area.

Table A1.4.8.1 Qualifying matters in zones, overlays, and Auckland-wide provisions

Qualifying matters	Zones, overlays, and Auckland-wide qualifying matter provisions:	Qualifying matter provisions related to zones', overlays', or Auckland-wide qualifying matter provisions
<u>Matters of national importance that decision-makers are required to recognize and provide for</u>	<u>Zones, overlays, and Auckland-wide qualifying matter provisions:</u> <u>Chapter D9 Significant Ecological Areas</u> <u>Chapter D14 Maunga Viewshafts and Height and Building Sensitive Areas</u> <u>Chapter D17 Historic Heritage</u> <u>Chapter D19 Auckland War Memorial Museum Viewshaft</u> <u>Chapter D21 Sites and Places of Significance to Mana Whenua</u> <u>Significant natural hazards controls for coastal inundation, coastal erosion, flooding, land instability</u> <u>Chapter D12 Waitakere Ranges</u>	<u>Chapter H</u> <u>Schedule 3- SEAs (T)</u> <u>Schedule 9- Maunga Viewshafts</u> <u>Schedule 14 Historic Heritage schedule, Statements and Maps</u>
Matters required for ensuring the safe or efficient operation of nationally significant infrastructure	Land adjacent to the rail corridor in the City Centre Zone E25 Noise and Vibration <u>Chapter D24 Aircraft Noise Overlay</u> <u>Chapter D26 National Grid Corridor Overlay</u> <u>Chapter E26 Infrastructure: Oil Refinery pipeline</u> <u>Chapter E26 Infrastructure: Gas transmission pipelines</u> <u>E26- Infrastructure</u> <u>Chapter H22: Strategic Transport Corridor Zone</u>	Chapter H Zones Chapter K Designations including 6301, 6302 and 8530 <u>Chapter K Designations including 1100,1101,1102</u>
Matters for giving effect to designations	Chapter K Designations	Chapter K Designations including airspace restriction designations

Matters required to give effect to any other National Policy Statement or NZCPS	Chapter D26 National Grid Corridor Overlay Chapter D10 Outstanding Natural Features and Landscapes Overlay Coastal Setback Lake Pupuke	Chapter H Zones Chapter K Designations Chapter L Schedules: Schedule 3 Schedule 2 Schedule 6
<u>Matters for open space for public use</u>	Open Space- Conservation Zone Open Space- Informal Recreation Zone Open Space Sports and Active Recreation Zone Open Space- Civic Spaces Zone Open Space- Community Zone	<u>Chapter H7 Open Space Zones</u>
<u>Any other matter that makes higher density development inappropriate in any area</u>	Chapter D13 Notable Trees Overlay Chapter D16 Local Public Views Overlay Chapter D18 Special Character – Residential and Business Chapter D20A Stockade Hill Viewshaft Chapter H3 Single House Zone Chapter 17- Business Light Industry Zone Natural hazards that are less than significant Areas with long-term infrastructure constraints Combined wastewater network Cohesive zoning (in Policy 3(c) and 3(d) areas) Comprehensive integrated planning outcomes (in Policy 3(c) and 3(d) areas). Built Form Standards in the Residential THAB and relevant business zones for walkable catchments that are identified in RMA Schedule 3C clause 4(1)(b) and (c) areas	Schedule 10- Notable Trees Schedule 11 Local Public View Schedule 15 Special Character Schedule, statements, and Maps Chapter E36 Natural Hazards and flooding Chapter E38- Subdivision, Chapter H

Table A1.4.8.2 Qualifying matters in precincts.

Qualifying matters	Precincts – Chapter I
Matters of national importance that decision-makers are required to recognise and provide for	Areas within precincts that protect matters of national importance including: Historic heritage - I201 Britomart Precinct, I202 Central Wharves Precinct, I206 Karangahape Road Precinct
<u>An (a)-(i) matter is identified under Schedule 3C, Clause 8(1)(a)</u>	<u>I1312 Ellerslie 2, I328 Orakei Point, I556 Takapuna 2, I438 Takanini</u>
<u>An 'other matter' is identified under Schedule 3C, clause 8(1)(b) of the RMA</u>	<u>I421 Mangere 2, I436 Rosella Road, Drury 1, Drury South Residential, Drury 2, Drury Centre, Drury East, Waihoehoe, Franklin 2, Pukekohe Hill, Beachlands South, Waipupuke, Wairaka, I544 Wainui, I519 Long Bay, I431 Pine Harbour</u>

4. The changes shown above meet technical legal requirements to identify QMs in the Plan, how they are expressed, annotated for plan users and where they are located for PC120. Parts of these tables that have been the subject of decisions for the City Centre provisions by the Independent Hearings Panel and Auckland Council Planning and Policy Committee in May 2025 relate to QMs identified in the City Centre provisions. The content has been derived from reviews of overlays, zones, Schedules, and maps with input from relevant technical staff on their QMs.
5. The costs of applying or not applying QMs are discussed in each relevant s32. The point of making changes to Chapter A and C is to manage the risk that plan users need to otherwise 'figure it out', reducing the risk of litigation resulting from unclear plan provisions with related costs to the public and private sector.
6. 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. The proposed provisions clarify the QMs proposed through PC120 and which rules take precedence in Chapter C.
7. The changes to Chapter A are the most efficient and effective method to communicate to plan users on where QMs are located in the Plan as a result of the Auckland Housing Intensification Planning Instrument (PC120).
8. The changes to Chapter C- General Rules relate to the insertion of a new rule C1.6A Overlay and Precinct rules. The changes are shown below:

C1.6A Overlay and precinct rules

- (1) Where an activity is subject to a rule in an overlay, the overlay may specify whether the overlay rule replaces a zone rule, a precinct rule, or an Auckland-wide rule.
- (2) Where any activity is subject to a rule in a precinct, the precinct may specify whether the precinct rule replaces an overlay rule or a zone rule, or an Auckland-wide rule.

9. The changes clarify that an overlay can include a rule on whether it trumps a zone, or precinct rule/Standard.
10. The significance of these changes is moderate and relates to guiding plan users.
11. The 'do nothing' or 'wait till later' options discussed in the evaluation section conclude that the best option is to advance these changes alongside the rest of PC120 now. There is a low risk associated with acting but high risk associated with not acting, indicating that the correct thing to do is to act.

Conclusion

Amendments to Chapter A, the Introduction of the combined Auckland Unitary Plan, outline what a qualifying matter is, how they are annotated and where they appear (zones, overlays and precincts, schedules, maps). Chapter C changes specify whether the overlay or precinct provisions take precedence. The inclusion of these amendments to these Chapters of the Plan will provide greater certainty for plan users, those administering it and will be cost-effective.

List of Attachments

Attachment	Name of Attachment
A1	Regional Policy Statement Links

Attachment 1

Links

B2 Tahuu whakaruruhau-a-taone- Urban growth and form

<https://unitaryplan.aucklandcouncil.govt.nz/images/Auckland%20Unitary%20Plan%20Operative/Chapter%20B%20RPS/B2%20Urban%20Growth%20and%20form.pdf>

B3 Nga punaha Hanganga, kawekawe me nga pungao- Infrastructure Transport and energy

<https://unitaryplan.aucklandcouncil.govt.nz/images/Auckland%20Unitary%20Plan%20Operative/Chapter%20B%20RPS/B3%20Infrastructure%20transport%20and%20energy.pdf>

B4 Te Tiaki taonga tuku iho- Natural heritage

<https://unitaryplan.aucklandcouncil.govt.nz/images/Auckland%20Unitary%20Plan%20Operative/Chapter%20B%20RPS/B4%20Natural%20heritage.pdf>

B5 Nga rawa tuku iho me te ahua- Historic heritage and special character

<https://unitaryplan.aucklandcouncil.govt.nz/images/Auckland%20Unitary%20Plan%20Operative/Chapter%20B%20RPS/B5%20Historic%20heritage%20and%20special%20character.pdf>

B6 Mana Whenua

<https://unitaryplan.aucklandcouncil.govt.nz/images/Auckland%20Unitary%20Plan%20Operative/Chapter%20B%20RPS/B6%20Mana%20Whenua.pdf>

B7 Toitu te whenua, toitu te taiao- Natural Resources

<https://unitaryplan.aucklandcouncil.govt.nz/images/Auckland%20Unitary%20Plan%20Operative/Chapter%20B%20RPS/B7%20Natural%20resources.pdf>

B8 Toitu te taiwhenua- Coastal environment

<https://unitaryplan.aucklandcouncil.govt.nz/images/Auckland%20Unitary%20Plan%20Operative/Chapter%20B%20RPS/B8%20Coastal%20environment.pdf>

B10 Nga tupono ki te taiao- Environmental risk

<https://unitaryplan.aucklandcouncil.govt.nz/images/Auckland%20Unitary%20Plan%20Operative/Chapter%20B%20RPS/B10%20Environmental%20risk.pdf>