I hereby give notice that an ordinary meeting of the Planning Committee will be held on:

**Date:** Thursday, 3 September 2020  
**Time:** 10:00am  
**Meeting Room:** Reception Lounge  
**Venue:** Auckland Town Hall  
301-305 Queen Street  
Auckland

**Kōmiti Whakarite Mahere / Planning Committee**

**OPEN AGENDA**

**MEMBERSHIP**

**Chairperson**  
Cr Chris Darby
Cr Josephine Bartley
Cr Dr Cathy Casey
Deputy Mayor Cr Bill Cashmore
Cr Fa’anana Efeso Collins
Cr Pippa Coom
Cr Linda Cooper, JP
Cr Angela Dalton
Cr Alf Filipaina
Cr Christine Fletcher, QSO
Mayor Hon Phil Goff, CNZM, JP
IMSB Member Hon Tau Henare
Cr Shane Henderson

**Deputy Chairperson**  
Cr Richard Hills
Cr Tracy Mulholland
Cr Daniel Newman, JP
Cr Greg Sayers
IMSB Member Liane Ngamane
Cr Desley Simpson, JP
Cr Sharon Stewart, QSM
Cr Wayne Walker
Cr John Watson
Cr Paul Young

(Quorum 11 members)

Duncan Glasgow  
Kaitohutohu Mana Whakahaere / Governance Advisor

31 August 2020

Contact Telephone: 09 890 2656  
Email: duncan.glasgow@aucklandcouncil.govt.nz  
Website: www.aucklandcouncil.govt.nz

**Note:** The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
Terms of Reference

Responsibilities

This committee guides the physical development and growth of Auckland through a focus on land use, transport and infrastructure strategies and policies relating to planning, growth, housing and the appropriate provision of enabling infrastructure, as well as programmes and strategic projects associated with these activities. The committee will establish an annual work programme outlining key focus areas in line with its key responsibilities, which include:

- relevant regional strategy and policy
- transportation
- infrastructure strategy and policy
- Unitary Plan, including plan changes (but not any wholesale review of the Plan)
- Resource Management Act and relevant urban planning legislation framework
- oversight of Council’s involvement in central government strategies, plans or initiatives that impact on Auckland’s future land use and infrastructure
- Auckland Plan implementation reporting on priorities and performance measures
- structure plans and spatial plans
- housing policy and projects
- city centre and waterfront development
- regeneration and redevelopment programmes
- built and cultural heritage, including public art
- urban design
- acquisition of property relating to the committee’s responsibilities and in accordance with the LTP
- working with and receiving advice from the Heritage Advisory Panel, the Rural Advisory Panel and the Auckland City Centre Advisory Board to give visibility to the issues important to the communities they represent and to help effect change.

Powers

(i) All powers necessary to perform the committee’s responsibilities, including:

(a) approval of a submission to an external body

(b) establishment of working parties or steering groups.

(ii) The committee has the powers to perform the responsibilities of another committee, where it is necessary to make a decision prior to the next meeting of that other committee.

(iii) If a policy or project relates primarily to the responsibilities of the Planning Committee, but aspects require additional decisions by the Environment and Climate Change Committee and/or the Parks, Arts, Community and Events Committee, then the Planning Committee has the powers to make associated decisions on behalf of those other committee(s). For the avoidance of doubt, this means that matters do not need to be taken to more than one of those committees for decisions.

(iii) The committee does not have:

(a) the power to establish subcommittees

(b) powers that the Governing Body cannot delegate or has retained to itself (section 2).
The Auckland Plan 2050 outlines a future that all Aucklanders can aspire to. The values of the Auckland Plan 2050 help us to understand what is important in that future:

- **Atawhai**
  - kindness, generosity
- **Auaha**
  - creativity, innovation
- **Kotahi**
  - strength in diversity
- **Pono**
  - integrity
- **Taonga tuku iho**
  - future generations
Exclusion of the public – who needs to leave the meeting

Members of the public

All members of the public must leave the meeting when the public are excluded unless a resolution is passed permitting a person to remain because their knowledge will assist the meeting.

Those who are not members of the public

General principles

- Access to confidential information is managed on a “need to know” basis where access to the information is required in order for a person to perform their role.
- Those who are not members of the meeting (see list below) must leave unless it is necessary for them to remain and hear the debate in order to perform their role.
- Those who need to be present for one confidential item can remain only for that item and must leave the room for any other confidential items.
- In any case of doubt, the ruling of the chairperson is final.

Members of the meeting

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

Independent Māori Statutory Board

- Members of the Independent Māori Statutory Board who are appointed members of the committee remain.
- Independent Māori Statutory Board members and staff remain if this is necessary in order for them to perform their role.

Staff

- All staff supporting the meeting (administrative, senior management) remain.
- Other staff who need to because of their role may remain.

Local Board members

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

Council Controlled Organisations

- Representatives of a Council Controlled Organisation can remain only if required to for discussion of a matter relevant to the Council Controlled Organisation.
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**PUBLIC EXCLUDED**

| 14   | Procedural Motion to Exclude the Public                                           | 219  |
| 15   | CONFIDENTIAL: Auckland Unitary Plan (Operative in Part) – Proposed Plan Change 41 – Ōkura Precinct – Update | 219  |
1 **Apologies**

Apologies from Cr C Fletcher and Cr D Newman have been received.

2 **Declaration of Interest**

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

3 **Confirmation of Minutes**

That the Planning Committee:

a) confirm the ordinary minutes of its meeting, held on Thursday, 13 August 2020, including the confidential section, as a true and correct record.

4 **Petitions**

At the close of the agenda no requests to present petitions had been received.

5 **Public Input**

Standing Order 7.7 provides for Public Input. Applications to speak must be made to the Governance Advisor, in writing, no later than one (1) clear working day prior to the meeting and must include the subject matter. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders. A maximum of thirty (30) minutes is allocated to the period for public input with five (5) minutes speaking time for each speaker.

5.1 **Public Input: Queenstown Lakes Community Housing Trust - Affordable Housing and Inclusionary Zoning**

**Te take mō te pūrongo**

**Purpose of the report**

1. Julie Scott will speak to the committee about Queenstown Lakes Community Housing Trust’s utilisation of land via the Inclusionary Zoning process, key benefits of Inclusionary Zoning and how it has benefited Queenstown Lakes Community Housing Trust, and how local council responded to development industry and developer views now to Inclusionary Zoning.

**Ngā tūtohunga**

**Recommendation/s**

That the Planning Committee:

a) receive the public input from Julie Scott of Queenstown Lakes Community Housing Trust regarding affordable housing and inclusionary zoning and thank her for attending.
5.2 Public Input: Brennan Rigby – Affordable Housing and Inclusionary Zoning

Te take mō te pūrongo

Purpose of the report

1. Brennan Rigby will speak to the committee about inclusionary zoning and the use of council land for housing.

Ngā tūtohunga

Recommendation/s

That the Planning Committee:

a) receive the public input from Brennan Rigby regarding affordable housing and inclusionary zoning and thank him for attending.

6 Local Board Input

Standing Order 6.2 provides for Local Board Input. The Chairperson (or nominee of that Chairperson) is entitled to speak for up to five (5) minutes during this time. The Chairperson of the Local Board (or nominee of that Chairperson) shall wherever practical, give one (1) day’s notice of their wish to speak. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders.

This right is in addition to the right under Standing Order 6.1 to speak to matters on the agenda.

At the close of the agenda no requests for local board input had been received.

7 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

"An item that is not on the agenda for a meeting may be dealt with at that meeting if-

(a) The local authority by resolution so decides; and

(b) The presiding member explains at the meeting, at a time when it is open to the public,-

(i) The reason why the item is not on the agenda; and

(ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting."

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

"Where an item is not on the agenda for a meeting, -

(a) That item may be discussed at that meeting if-

(i) That item is a minor matter relating to the general business of the local authority; and

(ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but

(b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion."
Affordable housing report back: Approval for forward work programme

File No.: CP2020/10540

Te take mō te pūrongo
Purpose of the report
1. To seek approval for a forward work programme on affordable housing.

Whakarāpopototanga matua
Executive summary
2. The Auckland Plan 2050 prioritises secure, quality, affordable housing.
3. Affordable housing is defined as a ‘home that a household could occupy for less than 30 per cent of its income’.
4. More Aucklanders now rent and more people earning average wages make up the ‘intermediate housing market’.¹
5. The number of households in the intermediate housing market increased by 35 per cent since 2013 to 89,190 in 2018. This is forecast to increase to 123,350 by 2028.
6. The housing shortage is unlikely to be solved by a potential recession. Sustained focus on increasing affordable housing is important in the response to future housing demand and as part of the economic recovery from COVID-19. Implementation will need to be adaptive.
7. In 2019, the Committee resolved [PLA/2019/17] that the council should intervene and lead on affordable housing by investigating regulatory and non-regulatory interventions.
8. Staff completed all investigation actions. Research, modelling, qualitative assessment and targeted engagement were used to investigate interventions.
9. This work found strong forecast growth in the intermediate housing market with potential negative impacts on the wellbeing of Aucklanders. It also identified interventions that the council can focus on to help increase the supply of appropriate housing for rental or purchase.
10. The resulting forward work programme (Attachment A) focuses on the council’s key levers, a mix of quick wins and longer-term improvements, including:
   • enhanced measurement, monitoring and reporting
   • helping affordable housing providers through consents processes
   • responding to the Independent Māori Statutory Board’s Kāinga Strategic Plan
   • delivering a small number of affordable houses on surplus land including in partnership with community housing providers, mana whenua, mataawaka, trusts or organisations
   • continuing to support affordable housing
   • investigating new policies, interventions, advocacy to and collaboration with government.
11. Staff will provide an update, advice and seek decisions in November for inclusionary zoning and increasing housing stock for older people. Progress will be reported through the Auckland Council and Government Joint Work Programme on Housing and Urban Development quarterly. An annual work programme update will be provided at the end of the 20/21 financial year.

¹ Currently in the private rental market; have at least one member of the household in paid employment; are ineligible for social housing, cannot afford to buy a house at the lower quartile house price under standard bank lending criteria – 10 per cent deposit and no more than 30 per cent of the household’s gross income paid in mortgage expenses.
Ngā tūtohunga
Recommendation/s
That the Planning Committee:

a) approve the affordable housing forward work programme in Attachment A of the agenda report.

Horopaki
Context

Affordable housing is 30 per cent or less income spent on housing purchase or rent

12. The Auckland Plan 2050 prioritises secure, quality, affordable housing.

13. The affordable housing definition the council uses is: ‘a home that a household could occupy for less than 30 per cent of its income whether purchasing or renting’.

14. Wages have not kept pace with house prices. More people earning average wages make up the ‘intermediate housing market’.

15. These people are spending 30 per cent or more of their income on rent, are ineligible for social housing and are unable to afford to purchase a home (Figure 1).

Affordable housing position: do more to intervene/lead by investigating interventions

16. In 2019, the Planning Committee agreed that Auckland Council’s preferred position on affordable housing was to do more to intervene and lead by investigating regulatory and non-regulatory interventions [PLA/2019/17 refers].

17. This subsequent work contributes to the Auckland Council and Government Joint Work Programme on Housing and Urban Development [PLA/2019/16].

18. An environmental scan of government initiatives on affordable housing and an overview of Auckland Council’s regulatory process and role, is provided in Attachment B.
19. The council is also partnering with Kāinga Ora on the Auckland Housing Programme to deliver over 20,000 dwellings.\(^2\)

**Research, qualitative assessment and targeted engagement used to investigate interventions**

20. Staff used a combination of methods to complete (Figure 2) the investigation of interventions required by the Committee’s 2019 decision:

- Research: quantitative, qualitative, demographic and modelling
- Qualitative assessment of interventions: Summary Attachment C, full Attachment D
- Targeted engagement: supply, council role and work programme.

<table>
<thead>
<tr>
<th>Figure 2: Summary of action against previous decision</th>
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<tbody>
<tr>
<td>a) Investigate regulatory and non-regulatory interventions</td>
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<td>i) modelling inclusionary zoning, other planning</td>
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<td>mechanisms and incentives</td>
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<td>Qualitative assessment, research and modelling</td>
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<td>Targeted engagement</td>
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<td>ii) improving council processes for affordable housing outcomes</td>
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<td>Qualitative assessment</td>
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<td>Targeted engagement</td>
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<td>iii) concessions or grants for community housing providers</td>
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<td>Quality assessment</td>
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<td>Targeted engagement</td>
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<tr>
<td>iv) partnerships with government, iwi, community housing providers and developers</td>
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<tr>
<td>Qualitative assessment</td>
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<tr>
<td>Targeted engagement</td>
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<tr>
<td>v) retained affordability mechanisms and rental tenure security for renters</td>
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<tr>
<td>Qualitative assessment</td>
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<td>Targeted engagement</td>
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<tr>
<td>vi) the experience and needs of people in the intermediate housing market</td>
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<tr>
<td>Qualitative and quantitative research</td>
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<tr>
<td>Qualitative assessment</td>
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<tr>
<td>b) Investigate:</td>
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<tr>
<td>i) the Kāinga Strategic Action Plan</td>
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<tr>
<td>Qualitative assessment</td>
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<tr>
<td>Targeted engagement</td>
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<tr>
<td>Strategic scan</td>
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<tr>
<td>ii) increasing current stock of housing for older people</td>
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<tr>
<td>Qualitative assessment</td>
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</tbody>
</table>

**Tātaritanga me ngā tohutohu**

**Analysis and advice**

**Research to better understand affordable housing problem, needs and lived experience**

21. In 2018, 89,190 households were in the intermediate housing market or 17 per cent of all households in Auckland, up 22,990 (or 35 per cent) from 2013. Professionals make up 71 per cent of the growth in the intermediate housing market.

22. Prior to COVID-19 it was forecast that the intermediate housing market would increase to 123,350 by 2028. Of this future growth 58 per cent is expected to be made up of couples with children.

23. The intermediate housing market now includes more professionals, working families and older people (Figure 3).

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\(^2\) The Auckland Housing Work Programme will deliver 10,000 additional homes in both Mt Roskill and Mangere and 1200 new dwellings will be developed in Oranga and Northcote respectively.
24. A housing pathways approach provided insights into the lived experience of the diverse groups navigating the intermediate housing market.

25. The data was used to develop narratives about who and how Aucklanders are impacted.

26. The narratives are important as they help the council to analyse the impacts at an individual and community level. Not just the measurable outcomes, such as economic impacts, but less-tangible such as wellbeing and the sense of pride or failure caused by the circumstances of the individual. Examples are provided below.

27. Accounts were given of service professionals like teachers and police workers:
   - making radical decisions to move out of Auckland in pursuit of homeownership
   - remaining unhappy renters or precarious owners
   - lack of salary weighting in high housing cost areas impact recruitment and retention
   - knock-on impact exists for Auckland, as essential services increasingly stressed.

28. Women can be particularly vulnerable to poverty in retirement and generally are:
   - still exposed to a significant gender pay gap
   - take extended career breaks to raise children
   - after a break down in a relationship, left with very limited retirement savings.
Affordable housing report back: Approval for forward work programme
29. The housing pathways and narratives show that there are commonalities of experience:
   - access to intergenerational wealth is prevalent for offspring of existing homeowners
   - underrepresented homeownership, for example Māori and Pacific people, are less able to support their children into homeownership
   - Māori and Pacific families, are well represented in the uptake of community housing and assisted homeownership
   - many Māori and Pacific families learnt about community housing through workplace presentations and word of mouth by friends and whanau
   - socialising alternative pathways is critical to secure housing for groups that may otherwise be excluded.

30. Most accounts of successful navigation out of the intermediate housing market included the use of financial tools such as Kiwisaver, Welcome Home grants (now known as First Home grants), and/or loans. For many, these tools can help to bridge the deposit gap. Often, multiple sources of finance were used. Less prevalent was the use of shared equity schemes and co-housing arrangements.

**Qualitative intervention assessments used to develop a work programme that takes a balanced approach in an uncertain context**

31. The qualitative intervention assessments were used by staff to form a work programme that takes a balanced approach within an increasingly uncertain context.

32. The proposed forward work programme (Attachment A) continues to progress nearly all interventions investigated. The work programme:
   - uses and builds on current levers and initiatives (enhanced status quo)
   - responds to research, feedback from community housing providers and the Kāinga Strategic Action Plan
   - complements government and sector initiatives
   - enables improved targeting of support, monitoring and reporting focused on affordable housing
   - focuses on priority groups including Māori, Pacific peoples, lower income and older people including through support for affordable housing providers.

33. Inclusionary zoning and increasing housing stock for older people will be reported back on separately to the Committee in November 2020. These two initiatives are complex and would benefit from separate advice and decision-making about inclusion in the work programme.

34. Figure 4 provides an overview of the key finding and next step for each intervention investigated.

<table>
<thead>
<tr>
<th>Figure 4: Key finding and next steps for each intervention</th>
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<tr>
<td><strong>Underway:</strong> initiatives that are being delivered</td>
</tr>
<tr>
<td><strong>Recommended for phased implementation:</strong> initiatives that have known benefits and that on balance are likely to be cost effective.</td>
</tr>
<tr>
<td><strong>Do further work:</strong> areas that show potential to deliver benefits but require further investigation and analysis.</td>
</tr>
<tr>
<td><strong>Report back:</strong> to the committee for decision making in November: complex initiatives that may require separate advice and decision making.</td>
</tr>
<tr>
<td>Intervention</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
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</tbody>
</table>
| **Modelling inclusionary zoning, other planning mechanisms and incentives.** | • Benefits of mandatory or voluntary provisions in the Unitary Plan including inclusionary zoning do not justify a Plan change at this time.  
• Better potential to achieve outcomes sought through collaboration with government as part of wider policy change.  
• Modelling inclusionary zoning and shared ownership schemes shows the need for supply and demand side interventions that can bridge the affordability gap.  
• Data and monitoring improvements required to support future affordability policies or regulatory change. | **Recommended for phased implementation:** On policy or regulatory change to increase delivery of affordable housing in the context of the National Policy Statement: Urban Development and Resource Management Act reform.  
**Advocate to / collaborate with government**                                                                                                                                 |
| **Retained affordability mechanisms and rental tenure security for renters.** |                                                                                                                                                                                                             | **Report back to committee for decision in November**  
**Inclusionary zoning**  
**Auckland Unitary Plan**                                                                                                                                                                                                 |
| **Improving council processes for affordable housing outcomes**          | • Community housing providers cite high complexity, costs and timeframes for consents.  
• Council can provide support to help affordable housing providers to better understand consents requirements and help improve quality of proposals to help reduce timeframes and costs.  
• Defining criteria for support and enhancements to data capture and reporting required to target support and better monitor progress including the number of affordable houses delivered. | **Recommended for phased implementation**  
Training and guidance, fees free provision of technical advice at pre-application meetings (one per application and maximum fee cap).  
**Regulatory: Consents**  
**Do further work**  
Further investigate how the Premium Key Account and Qualified Partner services could assist community housing providers or other affordable housing providers  
**Regulatory: Consents**  
**See also Research, monitoring and reporting**                                                                                       |
| **Concessions or grants for community housing providers**                  |                                                                                                                                                                                                             | **Recommended for phased implementation**  
**Deliver further affordable housing developments on surplus council land in partnership with government, community housing providers, mana whenua and mataawaka and private developers. A recent example is Barrowcliffe - Kōtuitui Place.**  
**Partnerships on surplus land**                                                                                                                                 |
| **Partnerships with government, iwi, community housing providers and developers** | • Council/Panuku can use surplus land for housing developments in partnership with government, community housing providers, mana whenua, mataawaka and private developers.  
• Relatively cost-effective way to deliver a small number of affordable houses targeted and tailored to need of priority groups while growing capacity of providers. | **Recommended for phased implementation**  
**Deliver further affordable housing developments on surplus council land in partnership with government, community housing providers, mana whenua and mataawaka and private developers. A recent example is Barrowcliffe - Kōtuitui Place.**  
**Partnerships on surplus land**                                                                                                                                 |
| **The experience and needs of people in the intermediate housing market**  | • Strong forecast growth in intermediate households, varies by local board area, diversity in the intermediate housing market with more older people, professionals and families.  
• Negative wellbeing impacts including, physical illness, mental health issues including stress and anxiety, a range of tools and strategies are used to navigate the intermediate housing market including family support, government, community housing providers.  
• Particular challenges for people who cannot obtain a deposit or access lending and cannot draw on family support. This includes many Māori and Pacific people perpetuating housing and wealth inequality.  
• Sense of pride and wellbeing benefits for those who gain homeownership. | **Recommended for phased implementation**  
**Continue research on affordable housing to inform evidence base for future policy / interventions.**  
**Research, monitoring and reporting**                                                                                                                                 |

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3 Includes community housing providers or other providers of affordable housing including private developers.
## Intervention

### Investigate: Increasing the stock of housing for older people
- Haumaru Housing is a joint venture with Panuku / Council providing a stock of housing for older people. Supported by government Income Related Rent Subsidy and a funding facility from council.
- Can provide wellbeing benefits for older people including Māori and Pacific people who are less likely to own their own homes.
- Haumaru and Panuku are working on options to expand the current stock to meet strong demand.

### Supporting work areas
- Further work on new models and policies is needed to respond to forecast growth and demand for different typologies.

**Next Step**
- Report back to committee with an update in November: Increasing the stock of housing for older people.
- Do further work: Alternative financing models, more direction in Panuku Letter of Expectation to achieve a suitable mix of housing including affordable housing, and ways council could support shared ownership schemes. See also Investigate new models / policies See also Regulatory: Consents

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### Responding to the Kāinga Strategic Action Plan

35. The Independent Māori Statutory Board’s Kāinga Strategic Action Plan identifies actions that the council can lead to improve housing outcomes for Māori in Tāmaki Makaurau.

36. The work programme responds to the resolution to investigate Kāinga Strategic Action Plan (Figure 5).

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<table>
<thead>
<tr>
<th>KĀINGA (Strategic action plan)</th>
<th>Response</th>
</tr>
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<tbody>
<tr>
<td>Action 19. Develop and improve provisions in the Unitary Plan to enable papaŋāŋa on general land and otherwise viable Māori housing outcomes</td>
<td>Recommended for phased implementation: Papaiāŋa and Māori housing</td>
</tr>
<tr>
<td>Action 20. Enable mana control and management of associated and adjoining reserves and provide for housing on these reserves under the Reserves Act or as a permitted or controlled activity under the Unitary Plan</td>
<td>Enabled currently case-by-case based on request made. Determined by political decisions, the existing planning provisions, accountability to ratepayers and availability of public land. Papaiāŋa and Māori housing</td>
</tr>
<tr>
<td>Action 22. Utilise Auckland Council public land for housing, providing opportunities for Māori organisations, nga iwi and hapū and whānau, in accordance with Panuku’s relevant strategic documents.</td>
<td>Do further work: Alternative financing models, more direction in Panuku Letter of Expectation about suitable mix of housing including affordable housing, Ways council could support shared ownership and opportunities for Māori organisations, nga iwi and hapū and whānau Investgate new models / policies</td>
</tr>
<tr>
<td>Action 23. Embed better and faster consenting to provide more security to developers, and consider ways to support community housing and affordable housing outcomes through prioritisations</td>
<td>For phased implementation: Target training and guidance, a free resource consent pre-application meeting (to the value of $2400 per development, after which fees will be incurred) for resource consents for recognised affordable housing providers, and monitor processing time improvements. Regulatory: Consents</td>
</tr>
<tr>
<td></td>
<td>Underway: Comprehensive support provided to mana whenua, matawakak trustees and organisations to navigate consents and development processes by Māori Housing Unit and Regulatory Services, and through the Qualified Partner Services as part of current business as usual. Regulatory: Consents</td>
</tr>
<tr>
<td></td>
<td>Do further work: Investigate capacity for inclusion of additional affordable housing providers in the Regulatory Qualified Partner and Key Accounts support programme. Regulatory: Consents</td>
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</tbody>
</table>
Targeted engagement focused on sector views of council’s role in affordable housing

37. People from the housing sector (banks, developers, community housing providers), partners, Māori and Pacific experts, academics and commentators provided views (Figure 6) on supply, the council role and work programme.

38. While their understanding of the council’s role varied, their view of the problem definition and suggestions for further actions shows alignment with the forward work programme. This creates a platform for ongoing engagement and partnerships.

### Figure 6 ‘Supply side’ stakeholder and partner’s summary views

<table>
<thead>
<tr>
<th>They believe the council has a key leadership role in supporting access to affordable housing</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Broker strategic discussions across the housing ecosystem to promote cooperation and collaboration.</td>
</tr>
<tr>
<td>• Partner and collaborate with Māori to understand how to pursue urban area papakāinga.</td>
</tr>
<tr>
<td>• Advocate and influence to ensure that Kāinga Ora has a strong commitment to demonstrate Māori intergenerational housing outcomes.</td>
</tr>
<tr>
<td>• Demonstrate how council can work closely with central government policy through the progressive home ownership scheme and make it tangible for the benefit of its residents.</td>
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<table>
<thead>
<tr>
<th>They believe that the council could prioritise some key actions</th>
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<tr>
<td>• Reinstall inclusionary zoning and affordable housing provisions requiring new developments to provide a proportion of new supply as affordable housing.</td>
</tr>
<tr>
<td>• Council to be an active partner in progressive home ownership schemes (e.g., leasehold) and identify and support funding options (e.g., housing bonds).</td>
</tr>
<tr>
<td>• Develop priority preferred partnerships with Iwi, community housing providers (CHPs) and developers who focus on social outcomes and facilitate efficient pathways through council processes for such partners.</td>
</tr>
</tbody>
</table>

39. Key stakeholders and partners (government and sector) also shared their views on the proposed initiatives. Themes of the feedback were:

- varied views on the benefits of inclusionary zoning
- support for initiatives that make it easier for affordable housing providers to navigate consents
- support for initiatives that target Māori, Pacific and low-income, older and vulnerable people
- need to support capacity of community, Māori and Pacific housing providers
- positive feedback about the council staff and processes
- interest in collaboration and partnerships.

COVID-19 brings significant and uncertain social, economic and fiscal impacts

40. COVID-19 has contracted the economy and brought job losses with unemployment expected to continue to increase. The second wave in August 2020 will create further uncertainty and exacerbate these impacts.

41. A range of positive and negative factors are impacting on the affordable housing market, and it is difficult to determine the overall impact in the longer term.

42. Factors that may assist people in the intermediate housing market include extremely low mortgage rates which could fall further if the official cash rate is lowered again. The wage subsidy scheme has been extended to protect jobs and mortgage assistance is available.

43. At the same time however, lenders are tightening borrowing criteria, and many overseas-based New Zealanders are returning home with significant purchasing power. Reopening the border to immigration will add further upward pressure on house prices.

44. Early indications are of house prices continuing to increase through the first half of 2020 with more first home buyers entering the market, and more people falling into mortgage arrears.
45. Those who remain employed may benefit from these conditions. Those facing
unemployment are likely to experience significant housing stress, particularly renters unless
rents fall.

Increasing supply of and access to affordable housing remains a key priority
46. Disparities experienced by socio-economically disadvantaged groups including Māori and
Pacific peoples and low-income people are likely to be exacerbated by COVID-19. These
groups may fall further behind on the housing continuum and become more at risk of
homelessness.

47. Even with record high numbers of new dwellings consented in the six months leading up to
the first COVID-19 lockdown, Auckland’s housing supply was barely keeping pace with
population growth. The housing shortage is unlikely to be solved by a potential recession.
This would take several years of zero population growth and continued record-high building.

48. Implementing the Urban Growth Agenda and Auckland Council and Government Joint Work
Programme on Housing and Urban Development is even more important in the ongoing
COVID-19 recovery period.

49. Sustained focus on partnerships and solutions, particularly targeted towards the lower
quartile of the intermediate market is required to move more people into homeownership and
affordable, stable, quality rentals.

Tauākī whakaaweawe āhuarangi
Climate impact statement
50. New Zealand is likely to see future climate related migration including from the Pacific
islands. This will increase demand for housing and may exacerbate housing inequality. The
forward work programme can help respond to increased demand for affordable housing in
this context.

51. Development of new homes increases our carbon footprint. There are greenhouse
emissions from demolition, construction, transportation and energy use.

52. The council will consider Te Tāwhiri-ā-Tāruke: Auckland’s Climate Plan in the construction
and longer-term sustainability of development. This includes ensuring the location of the
development reduces car dependency and that the dwellings are energy efficient.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views
53. The work programme impacts operations across the council group. Those areas are aware
of the impacts of the proposal and their implementation role.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views
54. Lack of affordable housing is impacting across all local board areas to varying degrees. The
work programme provides an Auckland-wide approach that will deliver benefits broadly.

55. Research commissioned to support this advice provides insights into changes in the
intermediate housing market at a local board level and can inform local decision making.

56. Local Board engagement will occur in the context of future projects that may be deployed in
specific locations such as partnered developments.

57. The council will continue to provide advice and support local boards on affordable housing
initiatives and local responses.
Tauākī whakaaweawawe Māori
Māori impact statement
58. Māori earn lower incomes on average, have lower rates of homeownership, are more likely to live in crowded homes and have poorer wellbeing outcomes. They are over-represented in the intermediate housing market.
59. High rent and discrimination in the rental market can mean more Māori are marginalised in high poverty neighbourhoods in poor-quality, cold, damp or mouldy housing. The majority of Māori are missing out on the positive benefits of homeownership including the ability to accumulate wealth and transfer this to future generations.
60. The forward work programme responds to the Kāinga Strategic Action Plan. This helps support Māori in need of affordable, appropriate housing and mana whenua and mataawaka trusts and organisations wanting to develop housing for Māori.

Ngā ritenga ā-pūtea
Financial implications
61. There are no financial implications as the forward work programme will be progressed through existing budgets.
62. Any future funding required outside existing budgets will progress through standard Annual Plan, Long-term Plan, or unbudgeted expenditure decision-making process.
63. Where any fee waiver initiatives are progressed for regulatory approvals, this will result in reduced revenue generation for that area of Regulatory Services.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations
64. Risks are being managed using the council’s normal project management and business case mechanisms and by adopting an adaptive management approach. Each of the forward work programme’s actions will have a project plan that will identify timeframes, risks and mitigations.

<table>
<thead>
<tr>
<th>Risk (If…)</th>
<th>Consequence (Then…)</th>
<th>Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>There are reduced staff or financial resources within the council.</td>
<td>It may be difficult to make progress on the affordable housing forward work programme.</td>
<td>Focus on further prioritisation of key interventions that have lower cost or staff resourcing requirements. Use an adaptive management approach to respond to uncertain / changing circumstances.</td>
</tr>
<tr>
<td>The sector, may struggle to engage because of competing priorities.</td>
<td>It may be difficult to agree and make progress on the forward work programme.</td>
<td>Will engage proactively with stakeholders and partners to understand pressures and availability. Make it easy and valuable to engage and participate.</td>
</tr>
</tbody>
</table>

Ngā koringa ā-muri
Next steps
65. Research and targeted engagement reports will be provided to the committee for information before the next agenda.
66. Staff will report in November to seek decisions on inclusionary zoning and to provide an update on increasing housing stock for older people.

67. Progress against the work programme will be reported through the Auckland Council and Government Joint Work Programme on Housing and Urban Development quarterly. An annual work programme update will be provided at the end of the 20/21 financial year.

**Ngā tāpirihanga**

**Attachments**

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**Ngā kaihaina**

**Signatories**

<table>
<thead>
<tr>
<th>Author</th>
<th>Pania Elliot - Principal Policy Analyst</th>
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<tbody>
<tr>
<td>Authorisers</td>
<td>Kataraina Maki – General Manager - Community &amp; Social Policy</td>
</tr>
<tr>
<td></td>
<td>Megan Tyler - Chief of Strategy</td>
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</tbody>
</table>
Affordable housing forward work programme

Underway
- Housing for older people increase as planned
  - Planned investment in Huamaru Housing including redevelopment of existing units progressed as part of status quo through upcoming business cases
  - Support for papakāinga and Māori housing
    - Provision of support and guidance to mana whenua, mataawaka trusts or organisations across consents and development processes Papakāinga and Marae Grants
    - Māori Land Rates Remission and Postponement Policy
    - Continue to work with marae, mana whenua, mataawaka trusts or organisations, government and local boards to identify opportunities for developments on public land or land exchanges.

Recommended for phased implementation
- Research, monitoring and reporting
  - Develop monitoring and indicators framework as basis to track and report progress, and inform future policy / interventions
- Continue research on affordable and Māori housing to inform evidence base for future policy / interventions
- Regular reporting to Committee on progress

Auckland Unitary Plan – papakāinga work programme
- Papakāinga forward work programme on addressing barriers and seeking opportunities to better enable papakāinga developments including on general land

Partnerships on surplus land
- Deliver more developments on surplus council land in partnership with affordable housing providers, Community Housing Providers, mana whenua, mataawaka trusts or organisations, government and private developers e.g. Barrowcliffe – Kātutahi, Wisther

Regulatory: Consents – training, guidance, fees relief
- Training and guidance and fees free provision of technical advice at pre-application meetings (limited to one per application and maximum fee cap) to help feasibility of more projects – provided to affordable housing providers.

Advocacy to / collaboration with government
- For changes to policies, legislation including the Building Code and Income Related Rent Subsidy, support for CHPs
- On policy or regulatory change to increase delivery of affordable housing in the context of the NPS: Urban Development and RMA reform.

Do further work
- Regulatory: Consents – Qualified Partner and Key Account services
  - Further investigate how the Premium Key Account and Qualified Partner services could be expanded to include additional affordable housing providers than currently

Investigate new models / policies
- Alternative financing models and affordable housing bonds (advocacy to Government/social impact investors)
  - Include more direction in Panuku’s Letter of Expectation (DoH on achieving a suitable mix of housing including affordable housing
  - Community-focused housing (a new intermediate housing product), building on the Avondale Case Study developed by Panuku

Report back to committee for decision making in November
- Auckland Unitary Plan changes – affordability requirements
  - Inclusionary Zoning
  - Housing for older people increase over and above that planned
  - Increasing stock of housing for older people (over and above the level) proposed under status quo.
Affordable Housing in Auckland

Central Government
Environmental scan of central government policies to stimulate the supply of affordable housing and to support Māori housing needs and aspirations
July 2020

Auckland Council
Overview of Auckland Council’s regulatory process and role in housing
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1. Introduction

This environmental scan was undertaken in July 2020 to examine central government policies and initiatives designed to:

- stimulate the supply of affordable housing across New Zealand; and
- support Māori housing needs and aspirations.

It accompanies, and provides context for, the Committee report on proposed next steps for Auckland Council’s affordable housing work programme.

This report does not discuss the Government’s broader policies that impact on housing affordability (e.g. immigration policy, changes to tax settings, or reform of the building regulatory system). Rather, the focus is on initiatives that aim to increase the supply of lower cost housing, assist rent and home ownership, and support Māori housing aspirations. These are initiatives primarily targeted at the ‘intermediate housing market’ - working renters who don’t qualify for social housing and can’t buy a lower quartile home without paying more than 30 per cent of their income to service a mortgage.

The data collection process for the environmental scan included desk research and targeted engagement with key subject matter experts.

2. Central Government’s Role in Affordable Housing

Central government is one of many actors across the housing system in New Zealand. It plays a number of roles including:

- a developer, procurer or owner (e.g. of land and houses, infrastructure to support housing)
- a regulator (e.g. of the planning system, building regulatory system, the labour market, building products, and of institutions like banks that impact on housing)
- a funder or enabler (e.g. through welfare payments such as the Accommodation Supplement, or tax settings)

Recent years have seen an expansion of central government’s role in the housing system. As housing affordability worsened, and home ownership became more and more out of reach for many households, we saw, under the previous Government, an increase in the use of interventions such as Housing Accords and Special Housing Areas (2013)\(^2\), place-based programmes such as the Tāmaki Regeneration Programme (2013)\(^3\), and a National Policy Statement on Urban Development Capacity (2016)\(^4\).

The current Government has adopted an even more active, whole-of-system approach to tackling unaffordable housing. In addition to broad brush policies to tackle the multiple factors causing the decline in housing affordability – such as changes to immigration policy, introduction of a foreign buyers ban, improving industry capacity, and reforming the building regulatory system – and increasing the minimum wage and targeting considerable budget to social housing, the Government is also focusing efforts on setting a more enabling framework for the delivery of affordable housing through its Urban Growth Agenda, as well as on more targeted ‘affordable housing’ initiatives such as progressive home ownership schemes. These and other initiatives are discussed in more detail below. A timeline of the key initiatives can be found in Annex 1.
3. Central Government Affordable Housing Initiatives

3.1 Setting the framework - Urban Growth Agenda

Improving housing affordability by increasing the supply of housing is a key strategic priority of the Government’s Urban Growth Agenda (UGA). The UGA is a shift in the approach to housing and urban development, bringing together various strands of work that have in the past often been dealt with separately, in order to address the fundamentals of land supply, development capacity and infrastructure provision. It includes a focus on urban planning, infrastructure funding and financing, transport pricing, and legislative reform (e.g. the resource management system, local government and spatial planning).

3.1.1 Infrastructure Funding and Financing

Infrastructure funding and financing is a key workstream of the Government’s UGA. The Government considers one of the fundamental drivers of house prices is the supply of land that is serviced by infrastructure. However, councils face several challenges when it comes to supplying serviced urban land, in particular financing of housing-related infrastructure. This is one factor that can contribute to high house prices in Auckland and other high-growth cities.

The Government passed the Infrastructure Funding and Financing Act in July 2020, establishing an Infrastructure Levy Model to enable infrastructure for housing and urban development in high-growth areas including Auckland. A key feature of the model is the establishment of a Special Purpose Vehicle (SPV), a financing tool that enables debt finance to be raised from the private sector and ring-fenced from a council’s balance sheet, not affecting its debt levels or credit rating. This alternative finance mechanism is intended to help necessary local infrastructure to be delivered in a timely manner and ensure that sufficient land is serviced to meet housing demand, helping to improve housing affordability. One of the challenges with a levy, however, is that identifying the area of benefit can be difficult, particularly in a brownfield setting. The levy is also unlikely in most situations to cover the full cost of the infrastructure, and there are on-going costs associated with it that are passed on to the new homeowners over a 30 year period. The tool is already being used to fund $91 million of infrastructure to support the building of 5,000 homes in Mildale.

3.1.2 Place-based approach and the Auckland Housing and Urban Growth Joint Programme

The UGA has mandated a role for central government to partner with local government and iwi as a means of facilitating pace and scale in urban development and ensuring government investment in infrastructure is aligned to help deliver connected, thriving and sustainable urban communities. This has led to the creation of Urban Growth Partnerships, a process of formalising and maintaining a long-term and enduring relationship between the Crown, local government, iwi and local communities to deliver the UGA objectives.

The Auckland Housing and Urban Growth Joint Programme is one example of this place-based partnership approach. This joint programme has a focus on collaborative actions which are intended to progress the delivery of more housing in Auckland, including the identification of regulatory and non-regulatory options for increased and accelerated provision of quality, affordable housing.

The UGA and Auckland Joint Programme being implemented well will increase in importance in the post-Covid-19 recovery period, with a slow-down in residential construction activity already evident in the falling number of dwellings consented and homes completed, and the economic environment...
placing further constraints on Council’s ability to fund and finance infrastructure to support housing development.

3.1.3 National Policy Statement on Urban Development

Not part of the Urban Growth Agenda, but closely linked, is the new National Policy Statement on Urban Development (NPS-UD), which has improving housing affordability as one of its objectives.7 Coming into effect from August 2020, the NPS-UD includes new prescriptive requirements to enable greater density in resource management plans than the National Policy Statement on Development Capacity (NPS-UDC) which it replaces, and directs councils - including Auckland Council - to remove planning rules seen to restrict development, such as on height limits in centres and minimum car parking requirements. The NPS-UD is expected to allow higher density dwellings to be built more cheaply, given that both height limits and mandatory minimum car park rules can add significantly to a development’s overall cost. However, these changes alone are unlikely to make a significant impact on housing affordability without other solutions across areas such as infrastructure funding and financing and the capacity and capability of the building industry.

3.2 Increasing the supply of affordable homes

3.2.1 Kāinga Ora – Homes and Communities

A big part of the reforms in the UGA is Kāinga Ora – Homes and Communities (Kāinga Ora). Kāinga Ora was established as a new Crown entity on 1 October 2019 and pulled together three existing agencies - Housing New Zealand, its subsidiary HLC, and KiwiBuild. As well as continuing to deliver the services previously provided by its legacy agencies such as tenancy services and building and maintenance of state housing, the Government’s housing reforms have empowered Kāinga Ora to accelerate the pace and scale of new home building and large development projects.

In its new role, Kāinga Ora will have wide-ranging regulatory and purchasing powers - laid out in the Urban Development Bill passed in July 2020 - to lead and develop new housing at scale in particular designated areas (specified development projects (SDPs)), including affordable housing for intermediate market households to rent or own.8

Much of Kāinga Ora’s focus will be on its extensive land holdings in Auckland. Kāinga Ora’s Urban Development team is leading the Auckland Housing Programme - a government initiative delivered in partnership with Auckland Council that is seeking to build around 22,000 new homes in Auckland over the next 10–15 years. It includes progressing large scale urban developments in Northcote, Mangere, Mt Roskill, Tāmaki, and Oranga, as well as many other small and medium sized developments.9 The Government’s lifting of Kāinga Ora’s borrowing limit by over $4 billion to $7.1 billion in early 2020 should provide increased headroom to deliver this programme more quickly.10

Auckland Council has consistently supported, in principle, the concept of an urban development entity such as Kāinga Ora as one tool to enable more housing to be built in a manner that creates sustainable and thriving communities. That support has always been qualified by the need to understand the powers being provided to that entity, and how the entity may work with local government in using those powers, which will only become clear as Kāinga Ora begins to exercise its powers. Auckland Council’s submission on the Urban Development Bill sets out these points in more detail.11
3.2.2 KiwiBuild

The KiwiBuild programme was a prominent feature of Labour’s election campaign in 2017, and the Government’s first budget in 2017 allocated $2 billion of capital spending to the programme. Its aim was to produce quality, affordable homes via three mechanisms:

- Development and re-development of Crown land as mixed tenure sites that include KiwiBuild homes – e.g. Kāinga Ora’s development in Northcote.
- The Government’s ‘Land for Housing’ programme which identifies land suitable and available for housing development, and facilitates the construction of state, KiwiBuild and market homes – e.g. the purchase of 26 hectares of land at Unitec’s Mt Albert campus to build a community of up to 3000 homes.\(^\text{13}\) A proportion of the Unitec project (200-300 homes) will get a fast track planning process under the Government’s Covid-19 Recovery (Fast-track Consenting) Bill, but it is not yet clear how many of these may be KiwiBuild homes.
- A ‘buying-off-the-plans’ programme where the Government underwrites private developers so they can build more homes, speed up their developments, and incentivise the construction of affordable homes – e.g. Ockham Residential’s Kōkiri development in Waterview which will include 47 KiwiBuild apartments.

The programme’s aim was to produce 100,000 new, quality affordable homes for median income households within a decade, half of these being in Auckland. However, in mid-January 2019, the Government acknowledged that the policy was falling well short of its target.\(^\text{15}\) The KiwiBuild scheme attracted a number of criticisms, including around the small numbers of houses being built, the type and location of houses not being of interest to buyers, and the income caps, with claims that they are too high for low-income buyers to be able to compete with those receiving higher income.

A ‘reset’ of the policy was announced by the Government in September 2019. The target of building 100,000 houses over 10 years was abandoned, with the focus shifting instead to the introduction of a progressive home ownership scheme (agreed in the Labour/Greens confidence and supply agreement after the 2017 election) and initiatives to make it easier for first home buyers to get government assistance. These are discussed in more detail in the ‘Assisting partial or progressive home ownership’ section below.

While the Government says it remains committed to KiwiBuild, Budget 2020 saw a pivot towards social housing with a pledge to build an additional 8,000 state and transitional homes over the next 4 to 5 years.\(^\text{16}\)

3.2.3 Build-to-rent

While not an active Government intervention as yet, the Government is at an early stage of looking at build-to-rent options, with the Housing Minister stating publicly in 2019 that he was seeing advice on encouraging more build-to-rent development to support the intermediate housing market, possibly with the use of Crown land.\(^\text{15}\) This complements central government work in assisting households in the private rental market discussed later in this report.

In New Zealand, rental homes are currently provided primarily by small-scale investors looking for capital gain and renting their asset out in the meantime. While current tax treatment of housing favours small-scale property investors and penalises commercial development and management,\(^\text{16}\) recent years have seen a number of developers in Auckland move towards build-to-rent developments, for example New Ground Capital in Hobsonville and Ockham Residential with its
Modal development in Mt Albert. The post-Covid economic environment could also see increasing moves towards build-to-rent as it is generally considered a more resilient asset class than other property types. It is likely that central government will be observing this activity in the private sector closely.

3.3. Assisting Partial or Progressive Home Ownership

3.3.1 Progressive Home Ownership Schemes

Currently, Progressive Home Ownership (PHO) in New Zealand is provided for lower income households by community housing providers (CHPs) and for higher income households by the private market. PHO can take different forms, but these schemes all assist households to purchase their homes either through saving for a deposit or reducing the size of the commercial mortgage required for the home.

As part of the KiwiBuild reset, noted above, the Government announced it was setting aside $400 million for a Progressive Home Ownership Fund, which it expects to help up to 4,000 low- and modest-income families currently priced out of the home ownership market to buy their own homes. Further details of the Fund were announced in July 2020, including that it would:

- have a specific aim to address housing affordability issues for three priority groups: Māori, Pacific peoples, and families with children.
- focus on places in New Zealand where housing affordability issues are most severe and where PHO can best help to address this
- be delivered through three pathways:
  - Provider pathway, using a range of PHO products (such as rent-to-buy, shared ownership, leasehold, and deferred settlement schemes) and including wraparound support. This will be delivered through existing and new PHO providers.
  - Iwi and Māori pathway, with a specific focus on better housing outcomes for Māori. This will build on Te Puni Kōkiri’s trial of six innovative PHO models to assist low to median income whanau Māori into home ownership through its Te Ara Mauwhare – Pathways to Home Ownership scheme.
  - Direct-to-household pathway, focusing solely on shared ownership with minimal wraparound support. This will be delivered through Kāinga Ora, with further details to be announced in 2021.

The first $23 million of the PHO scheme was allocated in July 2020, with the Housing Foundation in Auckland and Queenstown Lakes Community Housing Trust being the first providers to receive funding. The Housing Foundation received $17 million to deliver 78 homes in Auckland, mainly through its existing Shared Home Ownership Programme and Rent to Own offering.

The Fund has been welcomed by community housing providers and iwi and Māori organisations keen to scale up their PHO work. Further announcements of those working in the iwi and Māori pathway and other phase one providers are expected in the near future.

3.3.2 Deposit and mortgage assistance

The Government’s KiwiBuild reset also saw changes to wider supports for first home buyers. The Government provides both subsidised deposits and mortgage guarantees, administered by Kāinga Ora:
The First Home Grant is tied in with KiwiSaver contributions. It provides a grant of up to $10,000 (for an existing house) or $20,000 (for a new house) to first home buyers in certain circumstances, depending on the length of time they have been enrolled in a KiwiSaver scheme.

The First Home Loan allows first home buyers under a certain income cap to receive a Government-backed loan if buying properties priced under a certain cap.

As part of the KiwiBuild reset, the Government halved the deposit requirement for a First Home Grant and First Home Loan from 10 to 5 per cent. The cap on house prices for groups of buyers of three or more was also removed, meaning groups of three or more people can now pool their $10,000 deposits on properties at any price. These changes were aimed at making it easier for more people to access help to get into their first home.\textsuperscript{21}

Kāinga Ora has also been working with Kiwibank to help Māori to achieve home ownership on multiply-owned Māori land, by providing lenders’ mortgage insurance through the Kāinga Whenua loan scheme. However, following Kiwibank’s signalling of its intention to withdraw from the scheme, the Ministry of Housing and Urban Development (MHUD) is currently developing a long-term replacement for the Kāinga Whenua loan scheme.\textsuperscript{22}

3.4. Assisting households in the private rental market

3.4.1 Rental tenure and quality

The focus of housing affordability is often on home ownership, house prices, mortgage interest rates, and deposits. But with around a third of New Zealand households renting\textsuperscript{23} - many of these Māori and Pacific households - it is also important to think about rental affordability, tenure and quality when thinking about housing affordability. While the Government wants as many households as possible to be able to afford to purchase their own home, the reality is that many households may never be able to afford to do so, or may choose not to do so. Home ownership is not for everyone, but secure and affordable housing is. The Government is therefore taking a balanced approach to improving affordability and overall outcomes for both renters and purchasers, allowing households to make the most appropriate choice for their long-term future.

The Government has been progressing a reform of the Residential Tenancies Act, to support their aim of improving security of tenure for renters.\textsuperscript{24} Security of tenure will be improved in two ways:

- Periodic tenancy agreements will no longer be able to be terminated by a landlord for any reason and without a requirement to tell the tenant why. Instead, landlords will be able to end these agreements for a range of fair and justified reasons, such as a tenant’s antisocial behaviour.
- Fixed-term tenancy agreements will not end at the end of the initial term unless specified grounds for this have been met, e.g. the landlord needs to sell the house.

Changes to the Residential Tenancies Act build on the Healthy Homes Standards designed to make rental homes warmer and drier which became law on 1 July 2019.\textsuperscript{25} The Government has also recently scaled up its Warmer Kiwi Homes programme, which provides grants to support low-income owner-occupiers to insulate their homes and/or install heating appliances.\textsuperscript{26}

As noted above, these policies do not make housing more affordable, but can improve conditions for renters.
### 3.4.2 Rent subsidy - the Accommodation Supplement

The Accommodation Supplement (AS) is a weekly payment which helps low-income people with their rent, board or the cost of owning a home. It is, in effect, a government subsidy of the private rental market. How much people get depends not just on what they earn, but also where they live - meaning areas with higher housing costs attract a higher amount.

The Government increased the AS in 2018 as part of its Families Package, which saw an estimated 135,000 households get an additional average of $35 per week. However, the reality for many low-income renters in the private market is that the AS does not cover the costs of renting and their incomes are eaten up by rent payments, leaving little left over for other essential living costs.

The Welfare Expert Advisory Group’s report recommended changes to the AS\textsuperscript{23}, and other experts have noted that the AS has clear limitations as one of the main housing affordability instruments\textsuperscript{29}, but to date the Government has not signalled any further changes in this space.

### 4. Māori Housing

Māori have housing aspirations along the whole housing continuum – from whānau wanting to access healthy, affordable homes through to iwi and rōpū looking for development opportunities.

The Government has recognised that Māori have not been central to previous Governments’ responses to addressing the growing housing crisis, with Māori housing need characterised by poor quality housing, high rates of tenancy subsidies, low rates of home ownership, and high rates of overcrowding and homelessness\textsuperscript{30}.

Achieving equitable housing outcomes for Māori is one of the Government’s key housing priorities\textsuperscript{31}, and it has recognised that this means a significant step up and a dedicated and deliberate change in the system.\textsuperscript{32}

The Government has taken a number of steps to ensure that it is in a better position to respond to Māori housing needs and aspirations, including:

- Agency changes to accelerate positive Māori housing outcomes, such as the establishment of the Ministry of Housing and Urban Development (MHUD) and Kāinga Ora.
- Appointment of a new Associate Minister of Housing and Urban Development (Māori Housing) as well as the establishment of a Māori Housing Ministers Group to oversee Government’s Māori housing work.
- Establishment of a dedicated Māori Housing Unit, Te Kāhui Kāinga Ora, within the new MHUD to advance Māori housing outcomes.
- Establishment of the Iwi and Māori Partnership Programme (IMPP) as a key MHUD initiative which engages with whānau, hapū, iwi and key Māori stakeholders to support those who seek to progress housing developments.
- Launch of Te Māhi o te Whare Māori – Māori and Iwi Housing Innovation (MAIHI) Framework for Action which applies an implementation focus to improve Māori housing outcomes across the spectrum from homelessness to homeownership.

There are a number of areas in particular where the Government is focused on improving housing outcomes for Māori, including partnership, facilitating home ownership, housing on Māori land, and homelessness.
4.1 Partnership with Māori

The Urban Growth Agenda (UGA) has an explicit focus on partnership, including with Māori. It is about making sure Māori participate at a broader, strategic level in the future of housing and urban development. One example where iwi are involved within the UGA is in spatial planning for the Auckland to Hamilton corridor.²³

In terms of Kāinga Ora, its expanded role in urban development means the ways in which it intersects with Māori interests and rights in land and other natural resources will increase. The Urban Development Bill requires Kāinga Ora to protect Māori interests and support Māori aspirations in urban development. It includes an expectation that Kāinga Ora will engage early and meaningfully with Māori when undertaking urban development and offer Māori opportunities to participate in urban development, such as unlocking opportunities for papakāinga, building the capacity of Māori as developers, and also through training and apprenticeships for rangatahi.

The iwi and Māori Partnership Programme enables an integrated cross-agency focus to progress opportunities for new housing supply by and for iwi and Māori. Currently iwi and Māori groups who want to develop housing, particularly mixed-tenure developments, have to navigate multiple channels and processes to access government support.

4.2 Facilitating home ownership for whanau Māori

The Government is working on ways to broaden the pool of first home buyers to include more Māori households. Ensuring Māori benefit from Kiwibuild and progressive home ownership (PHO) schemes is a priority.

Partnerships with iwi and rōpū Māori are a significant feature of the Kiwibuild programme. As Treaty settlements are completed, iwi are increasingly looking to invest their land and capital in developments that will supply much needed housing. An example in Auckland is the partnership between Marutūāhu iwi and Ockham Residential to build 47 Kiwibuild apartments in Waterview.²⁴

As noted above, the Government’s PHO Fund, announced in July 2020, will prioritise certain groups, including Māori. The Fund includes an iwi and Māori pathway, which will enable iwi and Māori organisations to access the Fund and to take a flexible, outcomes-based approach, tailoring solutions to their needs. The iwi and Māori pathway also provides funding for wraparound support, including financial capability services and discounted utilities deals.

MHUD and Te Puni Kōkiri will also explore opportunities for how Te Puni Kōkiri’s existing PHO Te Ara Mauwhare trials could interact with the PHO Fund across the three pathways, particularly for papakāinga developments of around ten homes.²⁵

4.3 Housing on Māori land

Māori face particular constraints on developing their land to realise their aspirations, including for papakāinga housing. The Government’s Whenua Māori Programme, announced in 2013, includes legislative amendments and new on-the-ground advisory services for Māori landowners and is designed to stimulate opportunities for whanau to develop their land.

The Māori Housing Network also supports the development of new houses for whanau, usually on papakāinga. A number of papakāinga developments were part of the initial tranche of fast-track...
projects named in the Covid-19 Recovery (Fast-track Consenting) Bill in mid-2020, including one in Tāmaki Makaurau.26 The Pt Chevalier development will see 14 affordable rental homes built by Te Māhurehure Cultural Marae society.

4.4 Preventing and responding to Māori homelessness

Another priority for Government is preventing and responding to Māori homelessness, with $24 million provided in the National Homelessness Action Plan for specific Māori initiatives including partnering with Māori, iwi, hapū and marae to prevent homelessness through whenua-based initiatives, and supporting new and potential Māori Community Housing Providers.17

5. Likely future Government affordable housing interventions

The next term of Government is likely to see a continued emphasis on policies to tackle housing affordability, with agreement across both of the main parties on a number of areas:

- Continued support for the role of Kāinga Ora as the Government’s lead developer for urban development.
- Delivery of existing commitments to significantly increasing public housing stock, whether owned by community housing providers or Kāinga Ora.
- Building the capacity of the community housing sector.
- Further initiatives targeted at the intermediate housing market, including shared equity and rent-to-buy schemes, and possibly activity in the build-to-rent space. The Homestart Grant and Welcome Home Loan are also likely to remain.
- Continued emphasis on supporting Māori housing needs and aspirations.

Neither party has made any public statement on inclusionary zoning28, but both are understood to be cautious of its merits. The Productivity Commission in its “Using land for housing” inquiry did not see a strong case for the expansion of inclusionary housing policies in New Zealand, noting they tackle the symptoms of reduced supply of lower-priced housing rather than the causes, can have undesirable effects, and have a small impact on the overall supply of lower-priced housing.29

Key differences between the major parties emerge when it comes to reform of the resource management system and of residential tenancy rules.

- National opposed the Residential Tenancies Amendment Bill which was passed by Parliament on 5 August 2020, considering the changes would make renting harder and more costly for tenants, ultimately negating the purpose of the bill.30 National has said that, if elected, it would repeal the legislation.41

- While both parties agree that reform of the resource management system is needed, they are adopting different approaches. National has committed to repeal and replace the Resource Management Act (RMA) and to reform planning rules to make it easier to deliver infrastructure and housing. It is considering splitting the RMA into two different Acts – one dealing with planning (the Urban Planning and Development Act) and another with protecting the environment (the Environment Standards Act).42

The current Government’s resource management system review focuses on the RMA, which it notes is under-performing in delivering affordable housing and well-designed communities. The Resource Management System Review Panel’s report also suggests
repealing the RMA and replacing it with two pieces of legislation (a Natural and Built Environments Act and a Strategic Planning Act), but retaining the current integration between planning and environmental protection, with improvements in how the system manages urban development and planning, as well as improvements in how the wider system functions with related decisions such as infrastructure investment and funding decisions. (LGA/LTMA connection through spatial planning).
Annex 1 – Timeline of central government initiatives relating to affordable housing supply

2013
National Policy Statement on Urban Development Capacity (NPS-UDC)
- Directed local authorities to provide sufficient development capacity in their resource management plans, supported by infrastructure, to meet demand for housing and business space.

2016
Accommodation Supplement
- Accommodation Supplement increased as part of Family Package.

2017
Accommodation Supplement
- Increased in support of Family Package.

2018
Urban Growth Agenda
- Brings together various strands of work to address fundamentals of land supply, development capacity and infrastructure provision.

2019
Infrastructure Funding & Financing Act
- Established an Infrastructure Levy Model to enable infrastructure for housing and urban development in high-growth areas including Auckland.

2020
Progressive Home Ownership Scheme
- Details of $600 million Progressive Home Ownership Fund announced and first tranche of funding allocated to housing providers.

Urban Development Act
- Sets out the functions, powers, rights, and duties of the Kāinga Ora – Homes and Communities to enable it to undertake its urban development functions.

National Policy Statement on Urban Development
- Includes new prescriptive requirements to enable greater density in resource management plans than the NPS-UDC, which it repeal, and directs councils to remove planning rules seen to restrict development.

Housing Accords & Special Housing Areas (SHAs)
- Housing Accords aimed at setting targets and actions to increase the immediate and longer-term supply of land, and therefore improve the affordability of housing. SHAs were established to fast-track development of housing including affordable housing.

Tamaki Regeneration Company
- Established a Crown entity jointly owned by the government and Auckland Council to replace 2,500 social houses in Glen Innes, Parnell and Panmure with 7,500 mixed tenures.

Kiwibuild
- Programmes aimed at producing quality, affordable homes through development of Crown land, a ‘Land for Housing’ programme, and the undertaking of private developers. Target: produce 100,000 homes in 10 years.

Auckland Housing & Urban Growth Joint Programme
- Joint programme between the Crown and Auckland Council for an affordable housing programme and the undertaking of private developers. Target: produce 100,000 homes in 30 years.

Kiwibuild Reset
- Kiwibuild target abandoned; focus shifted to the introduction of a progressive home ownership scheme and initiatives to make it easier for first home buyers to get government assistance.

Kāinga Ora Established
- Kāinga Ora – Homes and Communities established as a new Crown agency with two key roles: being a public housing landlord and partnering with others to deliver urban development projects across New Zealand.
ENDNOTES


3 Housing Accord aimed to set targets and actions to increase the immediate and longer-term supply of land, and therefore improve the affordability of housing. The Housing Accord and Special Housing Areas legislation enabled the streamlining of new housing developments, and allowed special housing areas to be designated under accords between the Government and Council.

4 The Tāmaki Regeneration Programme is creating mixed tenour neighbourhoods with good transport connections, green spaces, quality town centres and social infrastructure. 10,500 new homes will replace 3,800 old state homes over the next 20-25 years.

5 The National Policy Statement on Urban Development Capacity (NPS-UDC) directed local authorities to provide sufficient development capacity in their resource management plans, supported by infrastructure, to meet demand for housing and business space. See www.mfe.govt.nz/publications/towns-and-cities/national-policy-statement-urban-development-capacity-2016

6 Urban Growth Agenda: Proposed Approach, Cabinet Paper Available at www.hud.govt.nz/urban-development/urban-growth-agenda/


9 The Urban Development Act was passed in July 2020. It is available at www.parliament.nz/en/nb/bills-and-laws/bills-proposed-laws/document/BILL_9336I/urban-development-bill


11 See https://www.gazette.govt.nz/notice/lb/2020-ro165


14 Wallis, Jason (23 January 2019) Housing Minister Phil Twyford is ‘pretty gutted’ Kiwibuild will fail short of its first year’s target. Available at www.nzherald.co.nz/news/article.cfm?id=13382042


16 McCaulough, Yvette (22 June 2019) Housing Minister Twyford exploring ‘build-to-rent’ for Kiwibuild reset Available at www.nz.co.nz/news/political/341897/housing-minister-twyford-exploring-build-to-rent-for-kiwibuild-reset


18 O’Connor, Adeline (23 May 2020) Build-to-rent could become most affordable post-Covid property sector, CBRE Available at www.cbre.co.nz/about/media-center/build-to-rent-could-become-healthiest-post-covid-property-sector

19 NZ Government press release (4 July 2020) Supporting more families into home ownership Available at www.beehive.govt.nz/elsa/supporting-more-families-home-ownership

20 Ibid


24 Statistics NZ Dwelling and Household Estimates (June 2020)


Affordable housing report back: Approval for forward work programme
Overview of Auckland Council’s regulatory process and role in housing

Local Government roles and responsibilities

1. New Zealand’s local government system comprises two complementary sets of local authorities - regional and territorial authorities (city and district councils). Auckland is a Unitary Authority combining both functions.

2. Regional council’s responsibilities include:
   - Sustainable regional well-being
   - Managing the effects of using freshwater, land, air and coastal waters, by developing regional policy statements and the issuing of consents
   - Managing rivers, mitigating soil erosion and flood control
   - Regional emergency management and civil defence
   - Regional land transport planning and contracting passenger services
   - Harbour navigation and safety, oil spills and other marine pollution.

3. District and city council’s responsibilities include:
   - Sustainable well-being
   - Provision of local infrastructure including water, sewerage, stormwater and roads
   - Environmental safety and health, district emergency management and civil defence, building control, public health inspections and other environmental health matters
   - Controlling the effects of land use including hazardous substances, natural hazards and indigenous biodiversity, noise and the effects of activities on the surface of lakes and rivers.

4. Housing, particularly the regulation of it is a key local government responsibility. Affordable housing should be enabled by councils, but the Local Government Act leaves it up to each council and region to develop its own policy response.

5. Historically, many Councils have developed a portfolio of residential dwellings. Prior to amalgamation in 2009 the Auckland legacy councils owned a large number of residential dwellings primarily focussed on supporting elderly. Some of these were sold to Housing NZ (for instance, Auckland City Council’s sale of CBD apartments during the Clark Labour government) and others were later transferred to Haumaru Housing (jointly owned by Selwyn Village and AC).

6. Auckland Council’s pensioner housing is aimed at the older / retiree intermediate housing sector. The Haumaru housing model has created a commercial ‘arm’s length’ relationship thereby limiting the risks to the ratepayer from the costs associated with the redevelopment of sites and tenancy management.

Auckland Council’s relationship with Kāinga Ora

7. Kāinga Ora is the main government department responsible for social housing in New Zealand. Other departments such as the Ministry of Housing and Urban Development (MHUD) have broader responsibility for housing policy. Auckland Council has created a partnership with Central Government to enable the delivery of housing, including social housing, at scale and pace.
The Auckland Housing Programme

8. The Auckland Housing Programme is a government initiative delivered in partnership with Auckland Council. The Programme will redevelop and treble the amount of housing on Crown land over the next 15 years across Northcote, Mt Roskill, Oranga and Mangere. Kāinga Ora are one of Auckland’s biggest residential landowners and also plan to redevelop other large tracts of land at Avondale, Redhills (Papakura) and Otara.

9. Kāinga Ora’s guiding legislation enacted in October 2019 provides a wider regeneration and well-being remit. The legislation also promotes partnership with mana whenua to achieve joint housing objectives.

10. Kāinga Ora plans to develop 10,000 additional homes in both Mt Roskill and Mangere, and around 1200 new dwellings in Oranga and Northcote. The programme was initiated in 2016 and has achieved delivery of 2,514 dwellings from January 2018-September 2019. However, Kāinga Ora and Council need to jointly plan the delivery of bulk infrastructure in several brownfield locations or else risk delays in delivery of houses.

11. Auckland Council entered into a Memorandum of Understanding in 2017 with the predecessor entities of Kāinga Ora (HLC and Housing NZ) to support the Auckland Housing Programme. Kāinga Ora is actively redeveloping its housing portfolio to treble the number of houses, increase the number of social houses, affordable houses and market housing.

12. Kāinga Ora’s resource and building consents represent around 10-15% of all of Auckland’s regulatory approvals. Whilst this is significant, it also shows that most of the region’s housing is still being developed by the private sector.

13. Kāinga Ora is redeveloping its land through a combination of master planning its infrastructure, creating super-lots and ongoing social housing development. Some of the key challenges associated with this programme relate to:
   - The age and condition of infrastructure in brownfields neighbourhoods
   - Relocation of tenants during the redevelopment process
   - Sequencing and timing of Council’s investment in bulk infrastructure
   - Streamlining the approvals processes for development
   - Redeveloping within existing communities.

14. Council’s partnership with Kāinga Ora is focused on four workstreams. These are infrastructure, funding and financing, regulatory services and spatial planning. There is currently legislation before Parliament that will enable Kāinga Ora to take over virtually all of the same functions of Council and its COCs in specified areas.

15. Regardless of who undertakes these functions, there are some issues that need resolution:
   - The funding and financing of infrastructure upgrades to support the housing programme
   - Capacity within the civil construction market to undertake physical works across the region
   - The scale of delivery programme

17
Where can council’s efforts best be focussed?

16. Council’s current levers to influence affordable housing are limited to policy, regulatory matters and funding and financing. There are several key questions to ask:
   - How can Council best support the intermediate housing market?
   - What risk profile does Council want?
   - How should council best leverage its efforts with other agencies? e.g. by doing what it does best i.e. regulatory, grants, partnerships?
   - What are the cost implications of varying levels of support?

17. Auckland Council is currently working out how much of the infrastructure costs related to the Auckland Housing Programme can be funded through the Long-term Plan and how much can be funded from the proposed Infrastructure Funding and Financing legislation making its way through Parliament.

18. The government programme is significant, forming around 10-15% of Auckland’s consented dwellings which will enable a mix of social and affordable housing.

19. This on-going support for the programme means that Council has less available resource to support other affordable housing providers. It may be better to support a couple of key programmes well, rather than dilute our efforts and resources across too many diverse projects.

20. Regulatory Services currently supports the intermediate housing market through its provision of advice. There have also been past examples of the ability to discount fees for some not-for-profit groups, such as the redevelopment of the City Mission site where one part of the Council made a grant for the drawings and professional services fees, and Regulatory Services discounted some of its charges given the charitable status of the City Mission. This was a one-off situation.

21. Central government frequently relies on Council services and expertise. Staff time is often provided free of charge for enquiries and background/due diligence queries. The Crown requires advice so that it can fulfil its obligations to develop surplus land for housing or to share intelligence on a particular site with third party developers or iwi.

22. The Development Programme Office liaises with MHUD and Kāinga Ora on a range of work including Crown land for housing, Kiwibuild and the Auckland Housing Programme. In addition, there is a joint officials group involving government ministers and senior staff to solve some of the sequencing, timing, funding and delivery of infrastructure to support housing in Redhills, Mt Roskill, Mangere, Drury and Manukau.

How Council is working with Kāinga Ora on its wider programme

23. Auckland Council is supporting Kāinga Ora to deliver on its mandate to support Māori Housing, social housing, community facilities, increase urban tree canopy cover and work on climate change issues. Neither Auckland Council nor Kāinga Ora can achieve an extensive range of built form outcomes or environmental improvements on their own.

24. If each entity is able to leverage off the expertise and asset delivery of the other to achieve mutually beneficial outcomes, that would deliver tangible outcomes for the wider community.
25. For example, the Māori Housing unit in Council can provide funding for due diligence and site feasibility for Māori Housing Providers, while Kāinga Ora now has a mandate to work with iwi on housing outcomes. It may be feasible for Council and Kāinga Ora to jointly help iwi deliver more Māori housing by focusing on what each party does best i.e. iwi development, professional services and housing procurement/construction.

**Efficient planning, consenting and risk management**

26. Complex or uncertain consenting processes can delay home building adding to the cost of finance for community housing providers, social housing providers and the public. Longer or more complicated development processes have higher odds of failure. When the length and ultimate costs of the process is unknown, development is less attractive and commercially viable for new entrants.

27. Resource and building consent requirements can be significant for both greenfield and brownfield development. There are risks around consenting timeframes where applications are not prepared to a good standard, or if public notification is required in a small number of cases of resource consents.

28. Applicants can reduce the number of requests for further information if they employ appropriately qualified professionals to prepare their applications, supporting documentation, seek meetings with regulatory staff before lodging their applications and follow the advice given by staff at the pre-application meeting stage.

The diagram below (taken from the Mayoral Housing Taskforce report 2018) shows a simplified version of the development process involved in re-zoning greenfields land to urban
and then the steps required to construct a dwelling from a regulatory perspective.

![Diagram of the planning process]

29. The regulatory process for complex developments may involve the following steps:
   - Pre-application discussions – sharing drawings, early engagement with Council staff and advice on whether the application is supportable or if there are areas for re-work before full/final drawings developed
   - A bundled/combined land use and subdivision consent that provides for enabling works, site de-contamination, infrastructure and approval where desirable of buildings
   - Engineering plan approval – a non-statutory process that requires all CCOs to sign-off on the detailed specifications and design of driveways, infrastructure and connections to the network
   - Auckland Transport driveway approval
   - Engineering Approval Completion Certificate – required prior to s224c
   - S224c approval of subdivision
   - Building Consent for dwellings, building platforms and some types of infrastructure.
30. This can take 12-18 months for brownfields sites and 18 months to 2 years for greenfields site development.

Resource Consents

31. Auckland Council’s “consenting made easy” project had the objective of providing an easy efficient experience for customers. It was implemented in 2018 and has been operational for the last two years. It includes four streams for consents:
   a. Premium: Case manager manages large or complex resource and building consents and engagement with CCOs
   b. Custom: Around 70% of medium and small consents are processed online (where possible) with a dedicated contact point
   c. Streamlined: Small straightforward residential and commercial consents, with online applications and a goal of decisions being released within 10 working days
   d. Qualified Partner: Based on agreements with developers and organisations to undertake quality assurance practices for standard products in exchange for faster consent decisions. Has typically focussed on supporting housing developments.

32. To enable faster consenting, Auckland Council has implemented new systems, including an online consent application platform, and service level agreements across the council family organisations to standardise processes and reduce unintended delays. Leadership, organisational culture and appropriate resourcing are seen as key pre-requisites to achieving timely processing of consents.

Building Consent process

33. The building consent process treats all applications in the same way i.e. there are no special concessions for affordable dwellings as opposed to any other kind of building. The Building Act and Building Code requires applicants to demonstrate that the building materials and construction techniques will comply with statutory standards.

34. There are 38 technical clauses in the Building Code; each clause contains at least one or both of the following:
   - A verification method (VM) tests or calculations that prescribe a method of complying with the building code; and/or
   - An acceptable solution (AS) which prescribes step-by-step instructions that demonstrate compliance with the building code.

35. MBIE also provides guidance on interpreting the Building Code. There are varying levels of complexity for building consents depending on typology/category in the code. The applicant must satisfy Council that their proposal meets the standard.

Auckland Mayoral Housing Taskforce: Non-Regulatory Recommendations

36. As part of the Mayoral Housing Taskforce report 2018 several recommendations were made to enable efficiency and innovation in consenting and risk management. This table has been expanded below to state what has been achieved in the two years following the release of that report.
<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Delivery Requirements</th>
<th>Current actions/comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tactical Interventions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consenting Made Easy service models (custom, streamline, qualified partner, premium) have been adopted. The key outcomes are:</td>
<td>AC to implement, seeking input and collaboration with development sector</td>
<td>AC has implemented these changes which have become business as usual.</td>
</tr>
<tr>
<td>• Ensuring that applicants have a single point of contact with the ability to resolve views received from Auckland Council teams and council-controlled organisations; and</td>
<td></td>
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</tr>
<tr>
<td>• Ensuring appropriate leadership and human resources capacity to drive a culture change in consenting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ensure that experienced resource and building consent processing staff are used effectively</td>
<td>AC to progress</td>
<td>As above</td>
</tr>
<tr>
<td>Work with tertiary providers and professional institutes to identify a pipeline of suitably qualified people to work in the construction professions to ensure future consenting requirements can be met by the industry</td>
<td>AC to progress in partnership with professional bodies</td>
<td>AC has recruited 30 building consent staff from Canada in the last 12 months.</td>
</tr>
<tr>
<td>Regularly report on consent and development outcomes that have been identified as data gaps, i.e. building completions and elapsed timeframes for consents (in addition to statutory timeframes), and improve data on an ongoing basis</td>
<td>AC to progress</td>
<td>Data is managed through SAP and monitoring of approvals by RIMU (monthly housing report).</td>
</tr>
<tr>
<td>Encourage MBIE to publicly release its Manufactured Building Guidance to clarify requirements for the industry</td>
<td>AC to invite a response from MBIE</td>
<td>TBA</td>
</tr>
<tr>
<td>Development of new Acceptable solutions under the Building Code for prefabricated products and medium density typologies that are not well addressed by existing Acceptable Solutions, and which are important for meeting Auckland’s future housing needs</td>
<td>AC to invite a response from MBIE in consultation with council and developers</td>
<td>Kāinga Ora has applied to MBIE for BCA status and to pre-approve its standard housing typologies</td>
</tr>
<tr>
<td>Ensure that a single Council family Code of Practice, setting technical standards for infrastructure assets for new development, is agreed and understood by consent planners, development</td>
<td>AC to work with CCOs and development sector to implement</td>
<td>There is currently no single published Code of Practice across Auckland.</td>
</tr>
</tbody>
</table>
engineers, and the development industry. Any updates are to be well communicated to the industry.

Ensure the Code of Practice defines customer satisfaction outcomes, including enabling housing delivery via efficient and certain processes.

Ensure that forthcoming national planning standards align with best practice elements for the Auckland Unitary Plan and reduce the need for further major plan changes.

Improve certainty and confidence in medium and higher-density housing for buyers, through changes to the Unit Titles Act.

Ensure plan change processes required to re-zone Future urban to urban are well resourced and proceed with speed, and that these planning resources are targeted to areas with landowner commitment to fund infrastructure (potentially including community facilities and operating costs) and proceed to build homes.

In order to strike an appropriate balance between the benefits of urban design and the costs of achieving them, Council to work with the development community to:

- Agree the importance of good urban design.
- Ensure that there is a single point of approval for designs and/or encourage the establishment of specific project design review panels for significant developments.
- Facilitate discussion between developers, planners, and design review panels about the value and cost implications of key amenity provisions.
- Auckland Council to progress in collaboration with development sector.

<table>
<thead>
<tr>
<th>As above</th>
<th>Code of Practice documents refer to engineering design standards.</th>
</tr>
</thead>
<tbody>
<tr>
<td>AC to invite MfE to progress in partnership</td>
<td>AC continues to liaise with MfE on the national planning standards, this is a work in progress.</td>
</tr>
<tr>
<td>AC to invite a response from MBIE</td>
<td>Changes have been made to the Unit Titles Act.</td>
</tr>
<tr>
<td>AC to investigate seeking input and collaboration with development sector</td>
<td>AC has embarked on structure planning around the region. A key stumbling block to urbanisation is the cost of infrastructure.</td>
</tr>
<tr>
<td>AC to progress in collaboration with development sector</td>
<td>This has been achieved through the AUP-OP in part, urban design panel and Urban Design Manual.</td>
</tr>
</tbody>
</table>
Non-regulatory innovations - road and reserve exchanges

37. Auckland Council and Auckland Transport developed the road exchange policy in November 2018 to enable developers at scale to close roads and exchange the value of the stopped roads for new roads where:
   - The developer owned all of the adjacent land parcels
   - The net balance of new roads created was in favour of Council/AT
   - It resulted in a better urban form.

38. The policy has been used for road stoppings and exchanges at Drury South, Tamaki, Mt Roskill, Northcote and Mangere. Most of these exchanges have been proposed by Kāinga Ora or Tamaki Redevelopment Company to achieve a more compact urban form, higher yields with better connectivity for residents. This policy has been used over several locations by Kāinga Ora to good effect.

Non-statutory alternatives

39. Auckland Council has used its development agency - Panuku Development Auckland to create one of Auckland’s largest affordable housing projects.

40. Panuku is partnering on the initiative with Te Ākitai Waiohua iwi and the Puhinui Park limited partnership, which is comprised of community housing providers the NZ Housing Foundation, Te Tumu Kāinga, and Community of Refuge Trust (CORT).

41. The development will include a mix of housing from one-bedroom apartments to four-bedroom homes.

42. Half of the properties will be sold under an affordable housing scheme with a range of purchase models including rent to buy and shared equity to help ensure affordability.

43. Construction started late 2018 with completion of the homes required within 5 years, the homes will be located close to amenities, transport links, education and job opportunities.

44. The model has several advantages:
It is a real and tangible project that creates affordable dwellings
Builds commercial relationships with the private sector and not-for-profits
It shows that council is playing an active role in the intermediate housing market.

Panuku has also partnered with Waitemata Housing to build forty, one-bedroom standalone units, known as Wilsher Village for the elderly on Henderson Valley Road. Wilsher Village was the name chosen for two blocks of pensioner flats first opened in July 1980 and the second in 1985 in Henderson.

The units form part of the Council's affordable housing package as people must meet certain financial thresholds to be eligible for this support. The second stage of the project will be the development of 50-60 terraced houses suitable for families. Please refer to the image below.

Image above from Croxton Architects - A multiunit residential and aged care competition project for McConnell Properties, in association with Landscape Architect Botta Mistell

Council establishes its expectations of Panuku Development through its governance team and provide it with parameters around commercial terms for creating affordable housing. However, there needs to be acknowledgement that there may be little or no return on investment from such enterprises. Therefore, if Council expects Panuku to have a shareholder return on other developments, this needs to be factored in (i.e. one or two flag-ship affordable housing projects every 3 years).

Special Housing Areas

Special Housing Areas were a Central Government-led initiative designed to address the supply of land for affordable housing in 2013. The legislation worked alongside the Housing Accord between central and local government to establish parcels of land suitable for redevelopment.

After three years, Council ended its Housing Accord after 1660ha of greenfield land was re-zoned and Council achieved 98% of its target of approving consents for 39,000 dwellings over three years.

There were many 'learnings' out of the Special Housing Area process and a range of new policies, objectives and rules were introduced into the Auckland Unitary Plan, particularly for greenfields Special Housing Areas. Some of the key learnings have been:
- Re-zoning land for residential or business does not mean that the land will be developable if wider infrastructure solutions and funding challenges have not been addressed or that developers will not hold this upzoned land.
- Council is a significant landowner but aside from community facilities, roads and reserves, most of its developable land is managed and where appropriate disposed of by Panuku.
- Statutory requirements must be matched by monitoring i.e. the affordable housing provisions required purchasers to submit statutory declarations regarding their income. These declarations must be filed correctly in the SAP system to enable later searches/verification.
- Variability across the Auckland region in how post-Special Housing Area development has been recorded in SAP and monitored has meant that there is a paucity of good quality data.

Possible Statutory-RMA interventions

51. Auckland Council publicly notified its Proposed Auckland Unitary Plan in 2014 and later that year the Auckland Unitary Plan Independent Hearings Panel were appointed. One of the policy platforms of the Plan was the introduction of inclusionary housing provisions. These provisions were vigorously opposed by the submitters.

52. The Independent Hearings Panel made a recommendation to Council’s Governing Body to delete the provisions from the Plan, which was accepted by Councillors at the end of 2016.

53. This meant that Council made an informed choice not to regulate housing affordability. This position could change through a future plan change to the Unitary Plan or during the review of the Unitary Plan (as required by the RMA). However, the experience with inclusionary housing provisions and the Special Housing Area experience indicate that:
   - RMA/Unitary Plan objectives, policies and rules frameworks must be clear, specific and measurable/monitorable.
   - Council should be prepared to defend its position at the Environment Court knowing that its policy had previously been challenged by the Property Council and the development community.
   - Maintain good records of affordable housing provision and be prepared to be publicly scrutinised on a regular basis in the media.
   - Understand the risks of litigation and on-going challenges.

54. The diagram below indicates an approach to addressing the global affordable housing challenge. This is a worldwide phenomenon, particularly associated with successful economies and major centres.
55. The tools and levers identified to reduce the cost of housing are:
   - Unlocking the potential of land in the right location
   - Financing policies to reduce costs of borrowing
   - Delivery platforms to enable effective implementation of strategies

56. Council can unlock the potential of land in the right location through its Unitary Plan (zoning) and aligned infrastructure investment. The Auckland Plan and growth strategy guide investment in bulk infrastructure by asset managers (Watercare, Auckland Transport and Healthy Waters) which the private sector can use as a basis for making investment decisions. The Auckland Plan and Future Urban Land Supply Strategy encourages a 70–30 split in growth between brownfields and greenfields respectively.

57. There was extensive work and robust debate through the Proposed Auckland Unitary Plan on future growth areas. There was a restriction on private plan changes for two years after the approval of the Unitary Plan.

58. This has now ended, and Council is receiving multiple private plan changes for growth outside the rural urban boundary and in areas that are out of sequence (i.e. not envisaged by the Unitary Plan). This means that the Council cannot support growth where it has not contemplated investment in bulk infrastructure.
# Affordable Housing Work Programme: Qualitative assessment summaries

**Intervention name:** Regulatory consents: Regulatory process (Existing Business Improvement Process)

<table>
<thead>
<tr>
<th>Recommended for phased implementation: initiatives that have known benefits and that on balance are likely to be cost effective</th>
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</thead>
</table>

**Do further work: areas that show potential to deliver benefits but require further investigation and analysis**

- **Staff investigate:**
  1. Improving the council processes for affordable housing outcomes
  2. Concessions or grants for community housing providers

- **Requesting staff to investigate:**
  1. The Ōtākā Strategic Action Plan: Action 23. Embed better and faster consenting to provide more security to developers, and consider ways to support community housing and affordable housing outcomes through prioritisation.

<table>
<thead>
<tr>
<th>Intervention</th>
<th>Lever</th>
<th>Benefits</th>
<th>Limitations</th>
<th>Works with</th>
<th>Deployment</th>
<th>Cost/sequencing</th>
<th>Who</th>
<th>Risk</th>
<th>Timing</th>
<th>Comment</th>
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<tbody>
<tr>
<td>Define affordable housing provider</td>
<td>Sets criteria and eligibility for support</td>
<td>Ensures that council is targeting support to the right organisations - enables efficiency and effectiveness</td>
<td>Dependent on uptake; Regulatory complexity</td>
<td>Training and guidance</td>
<td>Urban; council interventions</td>
<td>Used broadly across council interventions</td>
<td>Staff time; Mat within existing baselines; Council – Regulatory Services</td>
<td>How to define list and keep it up to date</td>
<td>Underway 3 months</td>
<td>-</td>
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<tr>
<td>Training and guidance</td>
<td>Training and guidance</td>
<td>Helps improve quality of quality of applications; Can improve processing times; Council provides benefit from improvement in quality of applications and improvement in processing times</td>
<td>Benefit depends on uptake</td>
<td>Provision of technical advice</td>
<td>Provided currently by Regulatory Services to Key Account and Qualified Partner customers – could be tailored to affordable housing providers</td>
<td>Staff time; Mat within existing baselines</td>
<td>Affordable housing providers; Council – Regulatory Services</td>
<td>Risk it council outsoule into this and providers do not uptake the training</td>
<td>3-6 months development and ongoing delivery</td>
<td>Can help build capacity and capability of affordable housing providers (and their agents)</td>
</tr>
<tr>
<td>Provision of technical advice (including fee and resource consent pre-application meeting)</td>
<td>Financial: Reduced fees; Support and guidance</td>
<td>Can identify and address issues up front; Can identify and address issues up front</td>
<td>Benefit depends on uptake; Financial limitations on Regulatory Services balance sheet</td>
<td>Provision of training and guidance</td>
<td>Making it easier / encouraging affordable housing applicants to use pre-applications meetings</td>
<td>Staff persons; One free pre-application meeting per consent; Development (charged at $2400) after which the applicant would incur fees</td>
<td>Affordable housing providers; Council – Regulatory Services; Wider financial limitations eg on Regulatory Services balance sheet</td>
<td>Risk developers may seek support where not eligible</td>
<td>1-month development and ongoing delivery</td>
<td>Can make a key difference to project quality and feasibility through early support to navigate the consents process</td>
</tr>
<tr>
<td>Further investigate how Premium Key Account and Qualified Partner programme could assist affordable housing providers</td>
<td>Partnered support and guidance</td>
<td>Provided comprehensive support across Regulatory Services</td>
<td>Benefit depends on capacity of Regulatory Services to include affordable housing providers in wider programme, whether they meet Qualified Partner criteria; and success of the two-way relationship model</td>
<td>Provision of training and guidance</td>
<td>Existing programmes which provide end to end regulatory support and a higher level of support through consenting processes</td>
<td>Staff time; Mat within baselines</td>
<td>Affordable housing providers; Council – Regulatory Services; Wider financial limitations eg on Regulatory Services balance sheet</td>
<td>Risk that other developers may seek support where not eligible</td>
<td>Timeframe determined by capacity of Regulatory Services</td>
<td>Has proven effective for social housing and developers such as Mighty Whānaungatanga, 42 Housing Foundation etc.</td>
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</table>
**Intervention name: Partnered developments**

**Recommended for phased implementation:** initiatives that have known benefits and that on balance are likely to be cost effective

i) partnerships with government, iwi, community housing providers and developers

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<tr>
<td>Panuku partnership developments with affordable housing providers on surplus land to contribute to supply of affordable housing</td>
<td>Partnership/ collaboration</td>
<td>Small increase supply of affordable housing (e.g. 300 per project)</td>
<td>Ability to source land of the right type in the right place at the right price, Commercial parameters mandate as set in SOU, Letter of expectation. Capacity and interest of partners</td>
<td>Barrowcliff, Rustuki, Whiter Village</td>
<td>Staff resourcing, Land price</td>
<td>Panuku, Auckland Council, Government, Affordable housing providers including community housing providers, mana whenua / mataatua trusts or management organisations</td>
<td>Need to ensure each project can deliver expected benefits; Business case process enables this to be determined for each project</td>
<td>3-5 years from start to finish for each project, Ability to commence further projects in parallel subject to resourcing</td>
<td>Future potential to scale up dependent on strategic objectives and budget.</td>
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**Intervention name: Kāinga Strategic Action Plan: Use of public land for Māori Housing, including through land transfers / exchanges**

**Underway:** continuing initiatives that are delivered as business as usual

**Do further work:** areas that show potential to deliver benefits but require further investigation and analysis

b) requesting staff to investigate; i) the Kāinga Strategic Action Plan

**Action 20.** Enable mana control and management of associated and adjoining reserves and provide for housing on these reserves under the Reserves Act or as a permitted or controlled activity under the Unitary Plan

**Action 22.** Utilise Auckland Council public land for housing, providing opportunities for Māori organisations, ngā iwi and hapū and whānau, in accordance with Panuku’s relevant strategic documents

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<tbody>
<tr>
<td>Use of public land for Māori housing including through land transfers/exchanges with Māori</td>
<td>Regulatory</td>
<td>Helps mana to expand and support more people</td>
<td>Availability of land, i.e., Kaumatua Housing, Te Henga Land Transfer</td>
<td>Government funding, Local board support, e.g., cultural initiatives fund</td>
<td>Staff resourcing, Land cost</td>
<td>Auckland Council, Government, Mana whenua / mataatua trusts or management organisations</td>
<td>Need to ensure each project can deliver expected benefits; Business case process enables this to be determined for each project</td>
<td>3-5 years from start to finish for each project, Ability to commence further projects in parallel subject to resourcing</td>
<td>Future potential to scale up dependent on strategic objectives and budget.</td>
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</table>
### Intervention name: Kāinga Strategic Action Plan – developing or improving provisions to enable papakāinga on general land – Forward work programme

**Recommended for phased implementation:** initiatives that have known benefits and that on balance are likely to be cost effective

b) requesting staff to investigate: i) the Kāinga Strategic Action Plan;

c) Action 19 of the Kāinga Strategic Action Plan is “Develop and improve provisions in the Unitary Plan to enable papakāinga on general land and other otherwise viable Māori housing outcomes”

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<tr>
<td>Develops and improves provisions in the Unitary Plan to enable papakāinga on general land and other otherwise viable Māori housing outcomes</td>
<td>Engagement</td>
<td>Helps enable more papakāinga developments</td>
<td>No definition of papakāinga &amp; unclear whether can be easily permitted on general land under current Auckland Unitary Plan provisions</td>
<td>Government funding</td>
<td>Papakāinga project at Te Māhureha Cultural Park in Point Chevalier (35 new homes)</td>
<td>Auckland Council, Government, Māori whakapapa trusts or management organisations</td>
<td>Can be several years from start to finish</td>
<td>More work and engagement required to better understand how more papakāinga can be enabled on general land under current Auckland Unitary Plan provisions</td>
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<tr>
<td>Intervention name: Planning changes - Modelling inclusionary zoning, other planning mechanisms and incentives, retained affordability mechanisms and rental tenure security for renters</td>
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**Recommended for phased implementation:** initiatives that have known benefits and that on balance are likely to be cost effective

i) modelling inclusionary zoning, other planning mechanisms and incentives

v) retained affordability mechanisms and rental tenure security for renters

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<tbody>
<tr>
<td>Continue to work with government to support introduction of affordable housing through National Policy Statement/legislation</td>
<td>Advocacy</td>
<td>Clear national direction</td>
<td>Uncertain</td>
<td>Government funding</td>
<td>NPS – UD Reform of the planning system</td>
<td>Auckland Council, Government, LINZ, CDPs</td>
<td>Uncertain outcomes and timesframes</td>
<td>Year 1-5</td>
<td>Uncertain outcomes and timesframes</td>
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<tr>
<td>Introduce Inclusionary Zoning or Inclusionary Housing Requirement</td>
<td>Regulatory – Auckland Unitary Plan</td>
<td>Retain or realise affordable, part-whole or ownership, up to 400 homes per year</td>
<td>Full plan change process required</td>
<td>Training for CDPs</td>
<td>Auckland Council, Developers, CDPs</td>
<td>High potential for legal challenge</td>
<td>May impact feasibility of planned developments</td>
<td>Timing 3-5 years to implement</td>
<td>May impact feasibility of planned developments</td>
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<tr>
<td>Introduce option for affordable housing (voluntary)</td>
<td>Incentives, negotiations</td>
<td>Benefits for CDPs to scale up</td>
<td>No certainty, negotiated</td>
<td>Auckland Council, Developers, CDPs</td>
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### Intervention name: Housing for Older People – Auckland Council to invest further funding into Haumaru Housing to purchase development sites and intensify existing sites

**Underway:** continuing initiatives that are delivered as business as usual

**Report back to committee for decision making in November:** Complex initiatives – which may require separate advice and decision making

**b) requesting staff to investigate:**

i) increasing current stock of housing for older people

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<tbody>
<tr>
<td>Auckland Council to invest further funding into Haumaru Housing to purchase development sites and intensify existing sites</td>
<td>Funding Joint venture with Community Housing Provider</td>
<td>Targets group with high needs – older people, including Māori and Pacific people on social housing waitlist; Can help meet forecast demand</td>
<td>High cost; Would take significant funding to meet forecast demand</td>
<td>Government funding</td>
<td>Haumaru housing</td>
<td>Auckland Council, Panuku; Haumaru Housing</td>
<td>Ability for Haumaru to service a further loan</td>
<td>3-5 years from start to finish for each project</td>
<td>Ability to commence further projects in parallel subject to resourcing; Council's ability to increase its wider stock of housing for older people or other groups eligible for social housing recommended for stepped progression.</td>
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</table>

#### Supporting initiative: Intervention name: Research monitoring and reporting

- Develop monitoring and indicators framework as basis to track and report progress, and inform future policy/interventions
- Continue research on affordable and Māori housing to inform evidence base for future policy/interventions
- Regular reporting to Committee on progress

**Recommended for phased implementation:** initiatives that have known benefits and that on balance are likely to be cost effective

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<tbody>
<tr>
<td>Define affordable housing provider and measures for affordable housing</td>
<td>Data and research</td>
<td>Data collection, enabled via updates to reporting through existing systems</td>
<td>Internal/Committee reporting</td>
<td>Internal/Committee reporting</td>
<td>Can’t take time to build up data sets</td>
<td>Some data if external only, updated every several years</td>
<td>External data and research</td>
<td>Māori</td>
<td>3-4 months to develop initial framework and gather first data sets</td>
<td>Supports Targeting Strategic Action Plan Action 24 by reporting against outcomes and delivery for Māori. Progress with work programme can be reported through the Auckland Council and Government Joint Work Programme on Housing and Urban Development and to the Planning Committee</td>
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<td>Continue research on affordable and Māori housing to inform evidence base for future policy/interventions</td>
<td>Data and research</td>
<td>Data collection, enabled via updates to reporting through existing systems</td>
<td>Internal/Committee reporting</td>
<td>Internal/Committee reporting</td>
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<tr>
<td>Regular reporting on progress</td>
<td>Data and research</td>
<td>Data collection, enabled via updates to reporting through existing systems</td>
<td>Internal/Committee reporting</td>
<td>Internal/Committee reporting</td>
<td>Can’t take time to build up data sets</td>
<td>Some data if external only, updated every several years</td>
<td>External data and research</td>
<td>Māori</td>
<td>3-4 months to develop initial framework and gather first data sets</td>
<td>Supports Targeting Strategic Action Plan Action 24 by reporting against outcomes and delivery for Māori. Progress with work programme can be reported through the Auckland Council and Government Joint Work Programme on Housing and Urban Development and to the Planning Committee</td>
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</table>
Supporting initiative: Intervention name: Investigate new models / policies

Findings of research and assessments indicate there are a range of new models and policies that show promise for improving affordable housing including:

- Alternative financing models and affordable housing bonds (advocacy to government/social impact investors)
- Include more direction in Panuku Letter of Expectation/SOI e.g. achieving a suitable mix of housing including affordable housing
- Community focused housing (a new intermediate housing product) building on Avondale Case Study developed by Panuku
- Investigate ways that council could support shared ownership schemes

Do further work: areas that show potential to deliver benefits but require further investigation and analysis

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<tr>
<td>Investigate new models / policies</td>
<td>Research Engagement</td>
<td>Helps the council to ensure it is keeping up to date with new policies or models that can support affordable and Māori housing</td>
<td>Outcomes uncertain</td>
<td>Advocacy to and collaboration with government</td>
<td>Research and monitoring</td>
<td>Standard practice for public and private and voluntary sector organisations and the Council</td>
<td>Met within current baselines</td>
<td>Council Government Community Housing Providers Māori organisations / Trusts</td>
<td>Could raise expectations of sector/partners</td>
<td>Need to make clear that there is no guarantee the council will implement new model / policies.</td>
</tr>
</tbody>
</table>

Supporting initiative: Intervention name: Advocacy to / collaboration with government

- For changes to policies and legislation including the Building Code and Income Related Rent Subsidy, support for CHPs.
- On policy or regulatory change to increase delivery of affordable housing in the context of the NPS: Urban Development and RMA reform.

Recommended for phased implementation: initiatives that have known benefits and that on balance are likely to be cost effective

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<tr>
<td>Advocacy / collaboration with government for changes to policies and legislation</td>
<td>Advocacy Collaboration, partnerships</td>
<td>Can result in policy, legislative or regulatory change that can make it easier to deliver/support access to affordable housing</td>
<td>Uncertain outcomes</td>
<td>Research and monitoring</td>
<td>Used regularly by the council / other councils</td>
<td>Met within current baselines</td>
<td>Council Other councils Government Local Government NZ</td>
<td>Could raise expectations of sector/partners</td>
<td>3-6 months – ongoing</td>
<td>Collaboration with government on affordable housing in the context of the NPS on urban development could create a pathway to delivery of more affordable housing without rates and challenges associated with Auckland Unitary Plan changes</td>
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Affordable housing work programme

Qualitative assessments of proposed interventions
## Intervention: Regulatory consents - Existing Business Improvement Process

**Recommended for phased implementation:** initiatives that have known benefits and that on balance are likely to be cost effective

1. improving the council processes for affordable housing outcomes
2. concessions or grants for community housing providers

**b) requesting staff to investigate:**

1. the Kainga Strategic Action Plan:

   **Action 23. Embed better and faster consenting to provide more security to developers and consider ways to support community housing and affordable housing outcomes through prioritisation.**

**Definition:** The services that affordable home builders require of Regulatory Services may vary depending on the delivery agent and methodology. Customers of Regulatory Services are likely to require one or more of resource consent (RC), engineering approvals (EPA), Building Consents (BC) and s223/224c (title) approvals.

**Scope:** This paper identifies opportunities to support affordable housing providers in the RC, EPA, BC and s223/224c processes.

### Issue Identification

<table>
<thead>
<tr>
<th>Issue description – Applicant perspective</th>
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<tbody>
<tr>
<td>Limited financial resources to expend.</td>
<td>Tight deadlines from funders.</td>
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<tr>
<td>Processes are perceived as time consuming which is perceived to result in more cost.</td>
<td>Significant delays in obtaining s223/224c (title) approvals.</td>
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<td>Housing providers feel Regulatory should 'go easy on them' as they are delivering a product with social benefit.</td>
<td>Processing consistency – new issues being identified on a recently approved building typology.</td>
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<thead>
<tr>
<th>Issue description – Regulatory perspective</th>
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<tbody>
<tr>
<td>Affordable housing providers have limited understanding of the process. It is difficult to establish meaningful interactions or build their understanding when different consultants are used for each project, especially at the BC and compliance stages.</td>
<td>Tight timeframes to deliver projects means that:</td>
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<tr>
<td>• key timesaving processes such as the pre-application meetings and early engagement can be overlooked;</td>
<td>• incomplete applications are often lodged in order to meet a lodgement deadline, which causes delays during processing.</td>
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<tr>
<td>• Providers are not aware of the different sorts of approvals required which causes complications and delays in the approval process.</td>
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Affordable housing report back: Approval for forward work programme
- Providers are often working with limited resource so engage less experienced consultants or try to do the work themselves.
- Affordable housing providers do not understand that the legislation Regulatory must follow is set by central government and is ‘tenure blind’. Council must be transparent and fair to all customers, no matter the product being applied for.
- Building material from overseas is often chosen as it is seen as cheaper/quicker, however this can often lead to a longer approval process because it is not approved for use in NZ by MBIE.

### Background

| What we’re already doing/ business as usual | In 2016/17 Council reviewed how customers interact with Regulatory Services and, how Regulatory provide services to our customers. A number of service streams were created across Regulatory depending on the complexity of applications and whether certain types of businesses are high volume or repeat customers. In summary, these include:
| 1. **Premium Service** – A project management service to ensure that large complex projects receive additional support in applying for RC, BC and EPA approvals, no matter who the customer is. This service is time charged.  
2. **Qualified Partner Service** – A programme management service to ensure our high volume, repeat build customers receive additional support in applying for RC, BC and EPA approvals. This service requires both parties to commit to quality and business improvement, and high engagement. Several large-scale home builders are already qualified partners. Fees apply to access this programme. Examples of entities that access this programme are Universal, Fletchers, Ngāti Whatua o Orakei, Maddren Homes, Kāinga Ora, Tamaki Regeneration Company (TRC) and a number of infrastructure providers.  
3. **Streamline** – A dedicated service for fast, simple consents where Regulatory commits to a 10-day processing timeframe, no matter who the customer is. This service is time charged.  
4. **Custom** – Business as usual processing through area based teams. This service is time charged.  
5. **Key Account support** – Relationship management support for high profile customers in the RC space (with support across the EPA, BC, s.223/224c space). This support tends to be reactionary and issue based. Key Account support is currently free for one-off queries, more active Key Account customers incur a fee for more robust support. Providers of affordable housing who access key account support are Kiwibuild (often lodged/developed by a third party), CORT and NZ Housing Foundation. |
<table>
<thead>
<tr>
<th>VisionWest has also received support of this nature in the past.</th>
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<tr>
<td><strong>Other key initiatives:</strong></td>
</tr>
<tr>
<td>• Auckland Housing Programme (AHP): Regulatory has established a one-off specific governance programme for the Kāinga Ora Auckland Housing Programme. This solution was recommended due to the profile of the AHP programme, the scale of consent lodge and because there was one applicant accountable for all of the applications, number of requests for information, consents lodged and approved and tracking of on-hold days and total working days for consents to be issued.</td>
</tr>
<tr>
<td>• Sharing information: Regulatory proactively provides practice notes to the industry on relevant matters, interpretations, and decisions by the Environment Court or MBIE.</td>
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<tr>
<td><strong>Legislative Framework</strong></td>
</tr>
<tr>
<td>• The legislative framework is set by central government and is “tenure blind”. The key pieces of legislation are the Local Government Act, Resource Management Act, and Building Act. There are also documents that applicants need to comply with such as National Policy Statements, the Building Code and Auckland Transport’s Code of Practice.</td>
</tr>
<tr>
<td>• Housing affordability is just one of a large number of issues for Regulatory to consider but there is no legislative requirement for developers to provide it. One of the policy platforms of the Proposed Auckland Unitary Plan was introducing inclusionary housing provisions, however this was vigorously opposed by the submitters. The Independent Hearings Panel made a recommendation to Council’s governing body to delete the provisions from the Plan, which was accepted by Councillors.</td>
</tr>
<tr>
<td>• Therefore, the only remaining mention of housing affordability in the Unitary Plan is Special Housing Area precincts, which refer to retained and relative affordable housing. These terms are specific to the Housing Accords and Special Housing Areas Act 2013 and can no longer be applied to new housing developments.</td>
</tr>
<tr>
<td><strong>Intervention Description</strong></td>
</tr>
<tr>
<td><strong>Potential Opportunity Description</strong></td>
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<tr>
<td>Opportunity 1: Streamlining our processes</td>
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<tr>
<td>There are limited options to streamline the regulatory processes due to the legislative requirements. The most effective way would be to condense the application process – for instance RC, EPA’s and BC are usually applied for sequentially, but these could be applied for in a condensed timeframe and potentially before the work is completed. (It should be noted that this has high risk for Council – sequencing is essential to ensure a situation does not occur where houses are completed before services.) This new approach is being trialled for a couple of qualified partners.</td>
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</table>
(Universal and Kāinga Ora). This could effectively halve the
time required to get end to end approvals. However, this is a
high trust option and requires the developer to submit high
quality applications, enter into an MoU and work closely with
Council, and be willing to take all the risk.

**Opportunity 2: Fee reduction**

2a. A reduction in regulatory fees by way of grants or
charging ‘at cost’. The City Mission redevelopment is an
example.

2b. Provision of free technical advice by staff at pre-
application meetings. Currently this requires payment of a
deposit and hourly fees are charged by each specialist
attending. The affordable housing market may seek new
innovative design or building techniques to reduce costs
and/or provide housing to a greater range of the community,
such as co-housing, modular building and tiny homes.
However, these can often be challenging in the regulatory
environment because the legislation or Building Code does
not provide for them yet. This is where pre-application
meetings are essential to provide information to staff, get
feedback and to understand what level of detail may be
required for new innovative ways of building.

2c. Reduction in development contributions (DC) payable.
The DC policy is set as part of the Annual Plan process and
is not within Regulatory’s direct control.

**Opportunity 3: Training and information sharing**

Regulatory could run training sessions on key areas of
interest for companies delivering affordable housing, such as
how to lodge a quality RC, BC or EPA; tips and tricks for
planning your consent strategy; or 101 on house building
under key legislation.

Other training or guidance that could be of benefit is around
the additional asset approvals that can be required, i.e. street
tree or driveway access. The Premium Unit is working on
some guidance on these matters for Kāinga Ora and it could
be expanded.

Another approach would be to expand the provision of
practice notes.

**Opportunity 4: Regulatory Customer Segmentation**

An opportunity to include more affordable housing providers
in the Qualified Partner, or Key Accounts programmes, or the
Premium teams could project manage their consents
process.

<table>
<thead>
<tr>
<th>Effectiveness of intervention</th>
<th>Suits what problem/target groups</th>
<th>Opportunity 1: Streamlining processes</th>
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<tr>
<td></td>
<td></td>
<td>- A condensed process for affordable housing would best suit frequent applicants who submit high quality applications, who are willing to work closely with Council and would be willing to take on the risk.</td>
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</table>
Opportunity 2: Fee reductions
- 2a. Would best suit large community developments or Auckland wide initiatives.
- 2b. Would best serve applicants that are unfamiliar with the process.
- 2c. Would best suit large community developments or Auckland wide initiatives. But needs to be incorporated early into the DC policy.

Opportunity 3: Training and information sharing
- Would best suit regular house builders who are invested in the process or seeking opportunities to learn.

Opportunity 4: Regulatory Customer Segmentation
- The Key Account service targets frequent social housing providers.
- The Qualified Partner service targets those who are high volume, repeat home builders and willing to work on improving quality.
- The Qualified Partner service targets those applications which are controlled or come from one entity, such as Universal, Fletchers, TRC and Kainga Ora on their respective housing programmes. Whereas Kiwibuild houses are generally applied for by third parties and so it is better suited to the Key Account service.

Strengths

Opportunity 1: Streamlining processes
- A streamlined process would allow affordable housing applications to be processed in a condensed timeframe. This can halve the time it requires to get end to end approvals.

Opportunity 2: Fee reductions
- All of these options would assist affordable housing providers.

Opportunity 3: Training and information sharing
- This provides a real opportunity to improve affordable housing providers understanding of the RMA and Building Code requirements, and Regulatory’s expectations of their contractors. This is because Council’s requirements (i.e. Unitary Plan and codes of practice) are all publicly available giving everyone the same baseline data. However, it is the interpretation of rules and what information is required to meet these rules which people can struggle with.
- Could improve applications and save processing time.
- Could be added into existing training programme and staff could update existing presentations.

Opportunity 4: Regulatory Customer segmentation
- Targeting the appropriate level of support (e.g. a programme manager, project lead or a senior planner) will benefit both parties.
- Qualified Partner process improves the quality of applications through a commitment to continuous improvement. Both parties are committed to it for the long term. There is less of a ‘blame culture’ and more focus on innovative solutions to solve repeat issues. This enables Council to work closely with key housing providers and their builders.
- Improvements made for AHP often have lessons for the wider development community.
- Regular communication in terms of regular meetings/reviews with Qualified Partners and Premium service. Other streams only communicate with applicants via e-mail and phone call.

### Weaknesses/limitations

- **Opportunity 1: Streamlining processes**
  - This is a new approach which is being trialled with two Qualified Partners. It is early days and it would be difficult to roll it out at the moment.
  - This would require up-front investment from the applicant to submit high quality applications (which is currently a problem).
  - This requires an existing relationship and high trust between Council and the developer. Additionally, the developer must be willing to take all the risk, especially when the next consent could be granted before the work is completed - affordable housing providers may not be in a situation to do this to Council’s satisfaction.

- **Opportunity 2: Fee reductions**
  - Za& 2b. This would affect Regulatory’s KPIs and would need ELT or senior manager sign-off. If this option proceeds, it is recommended that a “cap” is used to manage the financial implications.
  - 2c. DC reduction is not within Regulatory’s direct control and needs political support and would take time to go through the Annual Plan process.
  - Regulatory has an important role in generating revenue for Council as an organisation. Any fee reduction would have a flow on effect to Council revenues.

- **Opportunity 3: Training and information sharing**
  - This would require extra time from staff which could not be on-charged.
  - Requires regular and upfront engagement from affordable housing providers and passing this information onto their consultants. This would not suit many of the affordable housing providers because they infrequently lodge applications or use different consultants each time.

- **Opportunity 4: Regulatory Customer segmentation**
  - Council has limited resources which it must utilise efficiently and effectively. This means that everyone will receive the same level of service, albeit that certain
streams will receive more time reviewing their programme.

- Regulatory is ‘tenure blind’ due the current legislation. This business as usual process is applied equally across the board and is not targeted specifically to affordable housing.
- Dedicated resource can be made available to support large programmes of work (such as AHP) where there is a business requirement, however this works best where there is one applicant or agency who is responsible for delivering large volumes of work and works in partnership with Council through the Qualified Partner programme.
- It will depend on the resources of the provider. They will be able to prepare better quality applications where they have access to good consultants.
- Premium and Qualified Partner service is not appropriate for infrequent builders and has fees associated with it. It may be difficult for most affordable housing providers to pay these.
- Premium and Qualified Partner service has resourcing constraints currently.

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<tr>
<th>Other factors to consider</th>
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<tr>
<th>Evidence / Assumptions</th>
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<tr>
<td>Council does not currently provide monitoring of affordable or affordable housing delivery, apart from social housing by Kāinga Ora. As shown by the Special Housing Areas, it is difficult to monitor actual construction of affordable housing in the current system (SAP). An added complication is that multiple entities can submit applications and it is difficult to “tag” Kiwibuild homes because of this.</td>
</tr>
<tr>
<td>If Council were to introduce a plan change to increase the private sector provision of affordable housing, changes may need to be made to the SAP/data management system to monitor this. Additionally, past evidence indicates a plan change of this nature would be vigorously debated and appealed.</td>
</tr>
<tr>
<td>Obtaining RC, BC and EPAs is a small part of many projects and all applicants for combined subdivision and land use should factor in 18 months – 2 years to complete a project from design to delivery.</td>
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<tr>
<td>Dedicated resource can be made available to support large programmes of work where one or two agencies are responsible for continuously delivering large volumes of work (Kāinga Ora’s resource consents represent between 8-15% of all resource consents processed). They would need to be willing to work in partnership with Council to seek improvements and willimg to pay for this service. The AHP dedicated team for resource consents and engineering has shown good results.</td>
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</table>
### Ongoing review of effectiveness of interventions
- Council’s Director of Regulatory Services, Craig Hobbs, and the ELT regularly review the efficiency and effectiveness of systems and processes.
- Business improvement processes are introduced as and when required to optimise resources.

### Recommendations

#### The preferred options

It is recommended for the reasons outlined above that the following initiatives are investigated further (noting that some will need senior management approval).

**Initiative 1 - Provision of technical advice (fees free) at pre-application meetings**

1. Clearly define who is the ‘affordable housing provider’ programme and the criteria. This is to ensure Regulatory is supporting the right organisations.
   Recommendation is that Council use the Auckland community housing membership list which currently has 21 members and ensure this is monitored to ensure the list remains accurate.

2. Provision of free technical advice at pre-application meetings. This would be capped at one one-hour pre-application meeting per resource consent with a maximum of four staff (this would be approximately $2,400 in fees).

   Based on 2018 to current data, the 21 affordable housing providers have had ten pre-application meetings for resource consents and lodged twenty resource consent applications. If this service is free (up to the capped level), then it is assumed more providers will be encouraged to access this service for their applications.

   It is assumed:
   - There will be one meeting per year per provider;
   - The maximum cap is $2400 which covers four staff attending the meeting.
   - If additional input is required, then this additional time (and GST) will be charged to the applicant;
   - Breakdown of time is: 1 hour for pre-reading, 1 hour to attend the pre-application meeting and 1 hour for minutes or follow ups;
   - That the financial cap will cover staff time in most cases.

   Financial implication:
   - The anticipated annual loss of revenue for providing these pre-application meetings is $50,400 to Regulatory Services.
   - This has been discussed with Regulatory Services’ Commercial Manager. It would need approval by Regulatory Service’s General Manager.

3. Investigate including discounted or fee free building consent pre-application meetings for affordable housing providers in the future (in early 2021 period).
<table>
<thead>
<tr>
<th>Initiative 2 – Training and Guidance</th>
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<tr>
<td>Improve affordable housing providers understanding of the resource consent processes by:</td>
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<tr>
<td>4. Improve housing providers’ understanding of legislated requirements by running training sessions on key areas of interest.</td>
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<tr>
<td>5. Provide practice notes on emerging innovative design or building practice to provide clear and early guidance.</td>
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<tr>
<td>Financial impact:</td>
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<tr>
<td>To minimise impact, add this into the existing training programme, tweak existing presentations where possible and invite them to attend existing training offerings where appropriate.</td>
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<td>Timeframe: From early 2021 – ongoing.</td>
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<tr>
<th>Initiative 3 - Premium Key Account and Qualified Partner service</th>
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<tr>
<td>6. Investigate if there is capacity for the Premium Key Account and Qualified Partner service across Regulatory Services to assist affordable housing providers.</td>
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<tr>
<td>i. While both programmes are best suited to entities who are repeat customers engaged in improving quality, it has worked in the past for infrequent applicants when they have come across a roadblock.</td>
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<tr>
<td>ii. The Qualified Partner programme has set criteria to join the programme and staff would need to investigate if the criteria are met. The programme has seen good results for social housing providers such as Ngāti Whatua o Orakei, Kāinga Ora and TRC and this will continue.</td>
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<th>Initiative 4 – Advocate</th>
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<tr>
<td>7. Advocate to central government for updates to key pieces of legislation or the Building Code to improve affordability considerations and support innovative design or building practices that could reduce costs.</td>
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<td>Timeframe: ongoing.</td>
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<tr>
<th>Initiative 5 – Monitor</th>
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<tr>
<td>8. Investigate monitoring of the number of affordable houses constructed.</td>
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<tr>
<td>i. Can currently monitor by tracking names of the affordable housing providers in SAP with no additional cost or staff time. This will align well with initiative 1.</td>
</tr>
<tr>
<td>ii. However this has limitations as multiple entities may lodge the applications and because of this, Council cannot easily capture other programmes with multiple applicants (such as Kiwibuild).</td>
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Affordable housing report back: Approval for forward work programme
iii. When the next upgrade of SAP occurs, look to improve Council’s ability to track affordable housing. The cost of this is unknown. 
Timeframe: Aligned with initiative 1.

References:
- Mayoral Housing Taskforce report
- Regulatory Services Intranet
- Auckland Council research reports
- Feedback from staff

Intervention: Partnered developments

**Recommended for phased implementation**: initiatives that have known benefits and that on balance are likely to be cost effective

1) partnerships with government, iwi, community housing providers and developers

**Intervention Description**

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<th>Description</th>
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<tr>
<td>Council/Panuku has a role in facilitating affordable housing for the intermediate housing market on a small-scale through developing Council surplus sites e.g. Barrowcliffe and Wilsher Village, Henderson Valley Road Haumaru Housing. The Barrowcliffe ‘Kōtuitui Place’ example will deliver 330 new homes, more than half affordable (including assisted affordable/shared equity ownership, social and Kiwibuild homes). It is a partnership between Panuku, mana whenua and community housing providers.</td>
</tr>
<tr>
<td>Haumaru Housing is a community housing provider which provides housing for older people who are eligible for social housing and able to live independently. It is a joint venture between Auckland Council and the Selwyn Foundation.</td>
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<tr>
<td>The intervention is a “do more” option rather than business as usual. Panuku is committed to identifying opportunities to partner with community housing providers, mana whenua, mataawaka organisations or trusts, the private sector and Kāinga Ora to facilitate affordable housing.</td>
</tr>
<tr>
<td>The use of Council/Panuku sites to deliver new homes (at higher densities) in priority development locations helps to provide opportunities for market affordable homes in close proximity to services, transport and community facilities. This contributes to addressing the intermediate housing market need or social housing for older people.</td>
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**Intervention type**

- The intervention can deliver affordable housing, a tangible outcome for the community on a fiscally responsible basis. 
- It also helps build capacity of community housing providers and mana whenua with potential for future partnerships with mataawaka trusts or organisations.  
- Key partners may include Council, Panuku, mana whenua, mataawaka trusts or organisations and central government.

**Situational characteristics**
**Item 8**

### Suits what problem
- This type of intervention helps community housing providers, mana whenua or mataawaka trusts or organisations who may not have enough capital funds to acquire and develop land.
- It also helps to increase capacity, particularly with smaller CHPs and mana whenua who may not have had much exposure to the development sector but who still have a range of other expertise to offer.
- The Barrowcliffe example best suits motivated NGOs and mana whenua or mataawaka trusts or organisations who have a concept but need to partner with Council because they lack access to land for housing or do not have all of the funds to execute their concept, i.e. housing for people in the intermediate housing market.

### Suits what target groups
- Target groups are people in the intermediate housing market including key or essential workers, Māori, Pacific peoples, older or vulnerable people including people with disabilities.
- Partnering with community housing providers, NGOs or mana whenua. Potential for future partnerships with mataawaka trusts or organisations.
- Barrowcliffe targets a range of households including those in the social, assisted (rental and ownership) and wider intermediate housing markets.
- Haumaru Housing targets people who are retirement age and who are eligible for social housing.

### Strengths
- Aligns with Auckland Plan and Māori plan outcomes and Council and Panuku objectives for social and Māori outcomes.
- Grows capacity of community housing providers, mana whenua or mataawaka housing trusts or organisations and de-risks some factors with Council involvement.
- Enables Council/Panuku to have demonstration projects that deliver tangible housing outcomes for different groups without over-exposing it to financial risk.
- Can provide for relative or retained affordable housing if partners can manage relevant administrative processes.

### Weaknesses/limitations
- Minor contribution in terms of number of people that will benefit directly from new dwellings.
- The number of community housing providers and mana whenua or mataawaka trusts or organisations operating in Auckland is currently limited which could constrain the number of projects delivered.
- Some aspects are similar to Kainga Ora’s role but without the same scale, funding and legislative backing.
- Council’s involvement is helpful, but partners will still need to raise capital to invest and build.
- Likely to take 2-5 years to plan and deliver each one, i.e. site feasibility, consenting, and completing all stages of subdivision (subject to market conditions).
- Current budgetary and fiscal impacts of COVID-19 may limit the ability to scale up the number of projects delivered.
### Risks and mitigation
- Need to ensure each project can deliver required benefits
  - Business case process enables this to be determined for each project.
- Need to ensure sites ensure good connectivity to infrastructure and services i.e. moderate commercial value with good access to public transport, employment, schools and shops.
- Need to ensure the right housing and wellbeing outcomes are achieved:
  - Housing should follow our own best practice design, methods, e.g. Auckland Design Manual, Panuku Housing Mix Guidance.

### Intervention Characteristics

#### Impact and reach
- These types of demonstration projects will improve affordable housing outcomes and more importantly grow the capacity of community housing providers and mana whenua or Māori trusts, and assist organisations to respond to commercial opportunities.
- There may be different scenarios based on outcomes sought. For example, Panuku may choose to focus provision on key / essential workers, people with disabilities or older people, Māori or Pacific peoples, including through tailored provision such as universal design or accessible design, different tenure types and different purchasing or rental models.

#### Benefits / cost effectiveness
- Benefits may include:
  - Ability to help grow capacity of community housing providers, mana whenua or mataawaka including relevant trusts or organisations to deliver future developments
  - Ability to deliver towards Council and Panuku strategic outcomes and objectives
  - Ability to deliver more affordable housing that can be accessed by Māori, Pacific, older or vulnerable people
  - Potential to deliver different typologies, rental or ownership models and for provision of wrap-around services.
- Costs may include:
  - Cost of land and related trade-offs, e.g. commercial or use for another purpose
  - Cost of associated staff time.

### Other factors to consider

**Evidence / Assumptions**
- The underlying assumption is that there is a need for more affordable housing in the Auckland housing context and that Council/Panuku has a leadership role (intervene and lead) to address this need to support the social, economic/financial, and cultural wellbeing of Aucklanders now and into the future.
- The underlying assumptions are that there is a public good involved in improving the quality of life for selected parts of the community who currently experience negative
| Current deployment | • Barrowcliffe - Manukau, Henderson Valley Road Haumaru Housing/housing for elderly.  
• Panuku Housing Mix Guidance helps encourage residential choices (facilitates a range of housing choices at different price points, tenures and typologies) for all priority development locations to support wider town centre regeneration. (Specific provisions apply where more than 500 new homes are forecast.)  
• These types of interventions normally sit in local government in jurisdictions such as the United Kingdom where local government has a broader role in providing for social housing. In North America, this role is often performed by charitable trusts and not-for-profit organisations where there is a well-established philanthropic culture.  
• Panuku is working with CHPs and Kāinga Ora towards social and affordable housing projects in a large number of locations. |
|-------------------|---------------------------------------------------------------|
| Ongoing review of effectiveness of interventions | • Council can set the measures for each bespoke development and measure benefits over time e.g. economic and social wellbeing.  
• Council/Panuku would need to firstly measure how quickly the development was being delivered and post-construction, quality of life and wellbeing indicators for residents should be regularly measured and monitored.  
• There is an administrative burden associated with this that partners would need to understand and commit to monitoring.  
• Economic analysis of benefits. |
| Overall impact and value for money | • The intervention would need to be designed after taking the proposal through a matrix of specific criteria, risks and mitigations.  
• Each project is subject to a standard business case and needs to be able to demonstrate that it can deliver the right benefits to ensure value for money.  
• The overall impact and value for money of each project would depend on how many dwellings could be created, the impact of that over time and some less tangible benefits such as growing capacity in the NGO sector, improving wellbeing for groups who struggle to access affordable, quality housing including Māori, Pacific. |
Intervention: Use of public land for Māori Housing, including through land transfers/exchanges with Māori

Underway: continuing initiatives that are delivered as business as usual

Do further work: areas that show potential to deliver benefits but require further investigation and analysis

b) requesting staff to investigate: i) the Kāinga Strategic Action Plan

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<tr>
<th>Intervention Description</th>
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<tr>
<td>Relevant action</td>
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<td>- Action 20 of the Kāinga Strategic Action Plan is “Enable marae control and management of associated and adjoining reserves and provide for housing on these reserves under the Reserves Act or as a permitted or controlled activity under the Unitary Plan.”</td>
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<tr>
<td>- Action 22 of the Kāinga Strategic Action Plan is &quot;utilise Auckland Council public land for housing, providing opportunities for Māori organisations, ngā iwi and hapū and whānau, in accordance with Panuku’s relevant strategic documents.&quot;</td>
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<thead>
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<th>Description</th>
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<tr>
<td>- The proposals assessed are for Council to enable marae to control and manage associated and adjoining reserves and provide for housing on these reserves under the Reserves Act or as a permitted or controlled activity under the Unitary Plan.</td>
</tr>
<tr>
<td>- The aim of both is to create more opportunities for Māori housing to be delivered, and to support marae to expand onto adjacent land (and this may include provision of additional housing).</td>
</tr>
<tr>
<td>- One way to more easily enable marae to expand their footprint is through land exchanges, where a piece of equal value land is offered to exchange with existing crown/local government public land. The land exchange must have a net benefit to the community. Land transfers can also be used, where a piece of public land is transferred to a party for development.</td>
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</tbody>
</table>

| Intervention type (Effectiveness factor) | Land exchange, long term lease or potential rezoning that enables marae to expand their footprint including with housing. |

<table>
<thead>
<tr>
<th>Situational characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suits what problem</td>
</tr>
<tr>
<td>- The majority of Māori in Auckland are mataawaka, and therefore do not hold Māori land, may not own sufficient general land for housing developments or may face challenges to development due to zoning provisions.</td>
</tr>
</tbody>
</table>
| - For mana whenua, there is limited Māori land in Auckland and much of the Māori land can be challenging, or may not be suitable for development (e.g. rural, limitations in
### Item 8

**Planning Committee**  
**03 September 2020**

**Affordable housing report back: Approval for forward work programme**

#### Suits what target groups
- These interventions benefit mana whenua and mataawaka housing trusts and organisations and marae.
- Whānau, hapū, iwi, rōpū (current and future generations).
- People impacted by the lack of affordable housing options.

#### Strengths
- Aligns with Auckland Plan and Māori plan outcomes, and Council and Panuku objectives for social and Māori outcomes.
- Can enable expansion of marae including through development of housing on, or adjacent to marae, where it may otherwise not be feasible due to zoning, costs and land availability.
- Enables proximity to transport hubs, jobs and other amenities.
- Enables marae to expand over time to meet growing need.
- Council provides support for such projects through the Māori Housing Unit including through guidance, due diligence and contestable grants.
- Local boards have decision making powers that they can exercise to enable such projects.
- Government has provided funding support for similar projects and this can be a key barrier faced by marae.

#### Weaknesses/limitations
- Any exchange or transfer of powers of reserve land needs to go through a lengthy political process that may include central government, if gazetted under the Reserve Act. This can be costly and time consuming.
- Any sale of land needs to go through a stringent financial process, which can be costly and time consuming.
- Potential plan changes, rezoning and consents costs can be costly and lengthy.
- Suitable public land may be limited as it may not have supporting infrastructure in place, such as wastewater/stormwater, roading, community facilities etc, and this carries a high cost for development.
- Opposition from community who use existing reserves as public open space.

#### Risks and mitigation
- Potential public opposition to any reduction in reserve areas.
- Cost of provision of additional infrastructure can be high.
- Requires buy-in from local board and the community.
- Public engagement processes can mitigate risks of opposition.

#### Intervention Characteristics

<table>
<thead>
<tr>
<th>Impact and reach</th>
<th>Benefits / cost effectiveness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marae, Māori housing trusts or management organisations.</td>
<td>Benefits include:</td>
</tr>
<tr>
<td>Whānau, hapū, iwi, rōpū (current and future generations).</td>
<td></td>
</tr>
</tbody>
</table>
### Other factors to consider

<table>
<thead>
<tr>
<th>Evidence / Assumptions</th>
<th>Papakura Marae Kaumatua Housing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Papakura Marae has created a kaumatua housing plan, to be developed on Council land adjacent to the marae. The plan consists of nine units, six of which are to be built in 2020. The units are disability and tamariki-friendly and will be used by kaumatua of the marae. The units sit within the existing leased envelope for the marae.</td>
<td></td>
</tr>
<tr>
<td>Papakura Marae sits on Council-owned land, zoned as an informal recreation reserve. Kaumatua housing is within the definition of ‘marae’ in the Auckland Unitary Plan, which is a discretionary activity in the informal recreation zone, meaning resource consent is needed for the development of the units. Furthermore, landowner approval was needed from Papakura Local Board to develop the units, which was granted following support from local board members and the local community.</td>
<td></td>
</tr>
<tr>
<td>The marae raised $2.7 million in funding, through both central government and local government grants. $1 million of this came from the $15 million Māori Housing Fund held by Te Puni Kōkiri. A further $150,000 came from Auckland Council’s Community Development and Safety Committee’s Cultural Initiatives fund. The marae has worked closely with the DPO Māori Housing Unit, the Papakura Local Board, and Te Puni Kōkiri.</td>
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</tbody>
</table>

### Te Henga Land Transfer

- In 2018, a land transfer from Auckland Council to Te Kawerau a Maki enabled the iwi to develop a marae and papakāinga at Te Henga (Bethells Beach). In order for the land transfer to occur, the Environment and Community Committee recommended that the Minister of Conservation revoke the reserve classification on the piece of land. The Finance and Performance Committee then voted to transfer a 2.6 hectare block of land to the iwi. The land is now zoned Special Purpose Zone – Māori Purpose, under the Auckland Unitary Plan.
- The land at Te Henga was established as ‘not a priority’ for retention, based on the four disposal criteria - meeting community needs, now and in the future; connecting parks and open spaces; protecting and restoring Auckland’s unique features and meanings; and improving the parks and open spaces we already have. Other reasons include ample provision of open space.
| Ongoing review of effectiveness of interventions | • Number of marae-based developments in Auckland using land exchange / transfers.  
• Number of people housed.  
• Community outcomes, access to open space.  
• Wellbeing outcomes for whānau, hapū, iwi, rōpū (current and future generations).  
• Economic analysis of benefits. |
|---|---|
| Overall impact and value for money | • Can deliver value for money as evidenced through past projects and business cases.  
• Further projects must be able to demonstrate value for money through business cases. |

**Intervention: Kāinga Strategic Action Plan – developing or improving provisions to enable papakāinga on general land**

**Recommended for phased implementation**: initiatives that have known benefits and that on balance are likely to be cost effective

b) requesting staff to investigate: i) the Kainga Strategic Action Plan

<table>
<thead>
<tr>
<th>Intervention Description</th>
<th>Relevant action</th>
<th>Description</th>
</tr>
</thead>
</table>
| | Action 19 of the Kāinga Strategic Action Plan is “Develop and improve provisions in the Unitary Plan to enable papakāinga on general land and other otherwise viable Māori housing outcomes”. | • This assesses a proposal from the Independent Māori Statutory Board to develop and improve provisions in the Auckland Unitary Plan to enable papakāinga on general land. General land refers to general land owned by Māori and general land not owned by Māori.  
• Research and engagement with Māori indicate that  
  o mana whenua and mataawaka wish to develop papakāinga and other Māori housing  
  o there has been a number of successful papakāinga and marae-based housing developments that are providing affordable, quality, culturally responsive housing for whānau, hapū and iwi (see current deployment).  
• Mana whenua and mataawaka may face barriers to developing papakāinga housing. These may include:  
  o small amount of Māori land in Tāmaki Makaurau  
  o limitations on Māori land that is rural, may not be well served by infrastructure and services, not physically suitable, underlying zone restrictions or with development issues to resolve due to multiple ownership  
  o ability to source land in urban areas including general land which can be cost prohibitive  
  o potential time, cost or complexity associated planning and consents requirements, including where land may not be currently zoned for certain development types  
  o ability to access government agency support. |
### Affordable housing report back: Approval for forward work programme

- Staff have assessed key provisions in the Auckland Unitary Plan that enable or could limit papakāinga developments on general land or other relevant land types. This work has focused on:
  - the ‘Integrated Residential Development’
  - the Special Purpose – Māori Purpose Zone
  - identification of examples of past papakāinga including other regions and relevant success factors or challenges
  - the views of developers and leaders of papakāinga developments.

- This assessment concluded that:
  - under current provisions in the Auckland Unitary Plan there may be potential to enable papakāinga on general land under the category of ‘Integrated Residential Development’ (this is currently used for retirement villages and co-housing) without additional consents processes however this is dependent on the scope of what might be included in papakāinga
  - there are challenges for planners (within and outside the Council) understanding what papakāinga includes and does not include, and therefore under which classification it may or may not be zoned as it is not currently defined in the Auckland Unitary Plan.

Further work is proposed to:
- more accurately quantify how much land is available for papakāinga, in which locations, the (including the existing number of Māori Purpose Zones)
- increase understanding of what can be included in papakāinga
- test further, potential limitations or opportunities for enabling papakāinga under current provisions in the Auckland Unitary Plan
- determine if any changes to the Unitary Plan or guidance are required to better enable papakāinga including on general land as the basis
- form up options for testing with mana whenua and mataawaka.

#### Intervention type (Effectiveness factor)

<table>
<thead>
<tr>
<th>Intervention type</th>
<th>Effectiveness factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Further work to determine regulatory barriers, costs and benefits for developing more papakāinga in Auckland including on general land and form options for discussion with mana whenua and mataawaka.</td>
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</table>

#### Situational characteristics

<table>
<thead>
<tr>
<th>Suits what problem</th>
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</thead>
<tbody>
<tr>
<td>Potential, planning, regulatory, and knowledge barriers that may make it complex, time consuming and costly to develop papakāinga and may impact on the feasibility of papakāinga or housing, on or adjacent to, marae or on general land.</td>
<td></td>
</tr>
<tr>
<td>Gaps in information about how much land is available for papakāinga and wider legislative barriers and enablers.</td>
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</tr>
<tr>
<td>Challenges for planners including those outside of Council understanding what papakāinga includes and therefore under what category in the Auckland Unitary Plan it can be permitted.</td>
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</table>

<table>
<thead>
<tr>
<th>Suits what target groups</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Māori landowners.</td>
<td></td>
</tr>
<tr>
<td>Māori housing providers – including mana whenua and mataawaka management organisations and trusts.</td>
<td></td>
</tr>
<tr>
<td>Whānau, hapu, iwi (current and future generations).</td>
<td></td>
</tr>
<tr>
<td>Council and external planners.</td>
<td></td>
</tr>
</tbody>
</table>
## Strengths
- Enabling increased papakāinga development aligns with Auckland Plan and Māori Plan objectives and Treaty of Waitangi obligations.
- Responds to feedback from mana whenua and mataawaka who seek to engage and collaborate with Council on papakāinga.
- Does not pre-empt changes to the Unitary Plan which can be lengthy and costly and may result in perverse outcomes.
- Can take account of upcoming policy changes including the NPS.
- Enables Council to more comprehensively review the wider strategic framework, including government legislation and policy in relation to papakāinga which can identify other potential regulatory barriers and enablers.
- Enables Council to work with mana whenua and mataawaka to identify the spectrum / continuum / framework Council should use to help better understand requirements, and to guide/enable more Māori housing developments.
- Test with mana whenua and mataawaka whether it may to possible to develop papakāinga under Integrated Residential Development (IRD) if components of the papakāinga fall within this definition.

## Weaknesses/limitations
- Mana whenua and mataawaka may face barriers to developing papakāinga in urban areas due to high land costs.
- Due to the difficulty in being able to clarify all the components of papakāinga, it is difficult to ascertain the extent to which the Auckland Unitary Plan provides for the papakāinga on general land.

## Risks and mitigation
- Mana whenua and mataawaka may criticise Council for being too slow to respond to concerns.
- Ensuring engagement is focused on specific options will be important.

## Intervention Characteristics
### Impact and reach
- The intervention could reach: Mataawaka, mana whenua, including relevant trusts and management organisations and whānau, hapu, iwi (current and future generations).
- Council staff who can gain increased understanding of papakāinga and other Māori housing outcomes, and how best to support their development.

### Benefits / cost effectiveness
The benefits and costs may include:
- Papakāinga include affordable homes for whānau to rent and own.
- Positive wellbeing benefits associated with affordable, quality, sustainable papakāinga housing: including health, cultural, educational, and economic (including wealth creation).
- Addressing housing inequality experienced by Māori which has negative economic, educational, cultural and health impacts.
- Whānau have reported specific wellbeing, economic and cultural benefits from living in papakāinga through revitalisation of marae, Māori language, mātauranga Māori, whānaungatanga; maara kai; health and social service provision, development of business and employment.
- Costs of staff time.
- If required at a later date - costs of any plan change or definition change or development of guidance (staff time) and legal costs.
Planning Committee
03 September 2020

Affordable housing report back: Approval for forward work programme

<table>
<thead>
<tr>
<th>Other factors to consider</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Evidence / Assumptions</strong></td>
</tr>
<tr>
<td>• Ongoing provision of Council and government support through guidance and grants can support future papakāinga and marae developments.</td>
</tr>
<tr>
<td>• There are examples of Councils in other regions making changes to their District Plans to reduce regulatory barriers to papakāinga (see current deployment) and this in combination with wider support and guidance from Councils and government, has enabled more papakāinga to be developed.</td>
</tr>
<tr>
<td>• Government is delivering a range of support to enable development of more papakāinga. This can complement future work by Council and enable feasibility of more papakāinga.</td>
</tr>
<tr>
<td>• Future work would be led by Plans and Places, with input from the Māori Housing Unit.</td>
</tr>
<tr>
<td><strong>Current deployment</strong></td>
</tr>
<tr>
<td>• Examples of integrated Māori development:</td>
</tr>
<tr>
<td>• Papakāinga project at Te Māhurehure Cultural Marae in Point Chevalier (15 new homes)</td>
</tr>
<tr>
<td>• Kāinga Tuatahi developed by Ngāti Whātua Ōrākei (30 homes)</td>
</tr>
<tr>
<td>• Restall Road - Kaipara Resource Consent approved for an integrated Māori development located on approximately 12 ha of treaty settlement land, including a total of 30 dwellings.</td>
</tr>
<tr>
<td><strong>Ongoing review of effectiveness of interventions</strong></td>
</tr>
<tr>
<td>• Number of Māori housing developments established using the ‘integrated residential development’ definition (or which may not be able to be established under this definition).</td>
</tr>
<tr>
<td>• Number of Māori housing developments built on general land.</td>
</tr>
<tr>
<td>• Wellbeing impacts for Māori.</td>
</tr>
<tr>
<td>• Number of Māori housing developments established using the ‘integrated development’ within the Māori Special Purpose Zone.</td>
</tr>
<tr>
<td><strong>Overall impact and value for money</strong></td>
</tr>
<tr>
<td>• Potential to deliver value for money if more papakāinga or marae-based developments occur subsequently, and wellbeing benefits accrue.</td>
</tr>
<tr>
<td><strong>Other information sources</strong></td>
</tr>
<tr>
<td>• Snapshot report: Affordable Housing in Auckland - environmental scan of central government policies to stimulate the supply of affordable housing and to support Māori housing needs and aspirations.</td>
</tr>
<tr>
<td>• <a href="https://www.buildingbetter.nz/publications/ktkri/M%C4%81ori_Housing_Think_Tank_briefing_paper.pdf">https://www.buildingbetter.nz/publications/ktkri/Māori_Housing_Think_Tank_briefing_paper.pdf</a></td>
</tr>
<tr>
<td>• Cram, F. (2020). He mātou whare, he mātou kāinga hoki – a house that is a home for whānau Māori, Building Better Homes, Towns &amp; Cities: Revitalising the Production of Affordable Housing for Productive, Engaged and Healthy Lives</td>
</tr>
</tbody>
</table>
**Intervention: Housing for Older People – Auckland Council to invest further funding into Haumaru Housing to purchase development sites and intensify existing sites**

**Underway:** continuing initiatives that are delivered as business as usual

**Report back to committee for decision making in November:** Complex initiatives – which may require separate advice and decision making.

- **b) requesting staff to investigate:**
- **ii) increasing current stock of housing for older people**

<table>
<thead>
<tr>
<th><strong>Intervention Description</strong></th>
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<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td>The intervention assessed / investigated is to increase and redevelop the current stock of housing for older people managed by Haumaru Housing at a greater pace via an additional funding facility (or other funding arrangement) from Council.</td>
</tr>
</tbody>
</table>

**Background / Current context**

- Haumaru Housing is a community housing provider established in 2016 through a joint venture between Auckland Council and the Selwyn Foundation. The objective of the joint venture is to develop Council land before buying additional land.
- Haumaru Housing’s redevelopment programme was initially established via Council provision of a $20 million development funding loan. The redevelopment programme is led by Panuku. The amount was required to be paid back with repayments enabled predominantly through land sales from the Haumaru Housing portfolio.
- Haumaru Housing also has funding assigned to it through the Long-Term Plan to undertake maintenance and capital upgrades (including to reach healthy homes standards) of properties that will not be redeveloped in the short to medium term. (This funding does not need to be repaid.)
- As a registered community housing provider Haumaru has access to IRRS contracts with MSD. To access these contracts Haumaru must house people in new units from the MSD housing register.
- Through IRRS Haumaru is paid the difference between the value of the income related rent and the market rate rent (or agreed rent rate) for their properties. IRRS funds are ringfenced by Haumaru Housing and reinvested back into the housing portfolio.

**Haumaru developments**

- The original $20 million funding facility from Council enabled the development of Wilsher Village on Council owned land at 33 Henderson Valley Road. The development provides 40 one-bedroom, wheelchair accessible homes.
- Key stakeholders in this intervention include Panuku, the Selwyn Foundation, Haumaru Housing, Auckland Council, external developers, and older people on the social housing waiting list in Auckland.

**Intervention type (Effectiveness factor)**

- The initiative would help enable Haumaru to deliver more housing stock to help meet the goal of building a minimum of 200 new units by 2028. Funding for this initiative will be critical to deliver increased, appropriate housing stock for older people on the social housing waiting list.
- Auckland’s population (like New Zealand's) is ageing. Over the next 30 years, a larger number of people will be aged 65 years and over.
- There can be challenges for older people to find suitable, affordable housing in Auckland. Available housing stock is often unsuitable for the needs of older people. Costs of owner-occupied and private rental housing are increasing and may be unaffordable to many. Social housing is more affordable but may be difficult to secure (there were 18,520 applicants on the MSD’s housing register waitlist at 30 June 2020).
- Due to falls in homeownership over time it is predicted that half of older people will be renters within the next few decades.
- There are health and wellbeing risks for older people who are unable to access appropriate, stable, affordable rentals of adequate quality. These include:
  - social isolation from insecure tenure in the rental market resulting in frequent relocation
  - homelessness
  - the need to make trade-offs between adequate heating, food and transport against the need for cheaper accommodation which may be of poor quality or inaccessible.
- Māori and Pacific peoples:
  - are likely to experience significant inequalities in older age, particularly around health outcomes
  - have lower rates of home ownership compared with people of European origin. Data from the 2013 census showed that 40.2% of Māori and 32% of Pacific peoples owned their own homes compared to 89.8% of European people.

<table>
<thead>
<tr>
<th>Suits what problem (strategic alignment)</th>
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<tbody>
<tr>
<td>Projected demand of housing for older people in Auckland indicates an additional 3,700 units will be required by 2043 at a cost of $2.3 billion.</td>
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<tr>
<td>As at March 2020 there were 5,110 (A) priority and 976 (B) priority applicants on the waiting list in Auckland. Of these there are approximately 520 (A) priority applicants who are 65+ and this number is currently increasing by approximately 3% per annum.</td>
<td></td>
</tr>
<tr>
<td>Haumaru has a goal of building a minimum of 200 new units by 2028, increasing current stock from 1542 to 1742 units.</td>
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<tr>
<td>Haumaru Housing, along with other community housing providers, faces challenges in raising capital to purchase land to develop social housing. The funds from the IRRS are not sufficient to enable the purchasing of land and/or houses.</td>
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<tr>
<td>This intervention specifically addresses the problem of Haumaru Housing requiring further capital funds to acquire and develop land for housing for older people.</td>
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<table>
<thead>
<tr>
<th>Suits what target groups</th>
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<tbody>
<tr>
<td>This intervention is targeted at older people who are renting, cannot afford market rent, and are on the social housing waiting list.</td>
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<tr>
<td>It also sets in place housing provision for people that are currently in the intermediate housing market, who will reach retirement age in the next 10-20 years, who do not own their own homes and will not be able to afford to continue renting in the private market, or may find it hard to find suitable rental housing as they get older.</td>
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<table>
<thead>
<tr>
<th>Strengths</th>
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<tbody>
<tr>
<td>There are established funding, delivery and administration mechanisms through IRRS, and Haumaru Housing’s mandate to purchase land for development and to undertake intensification of existing sites.</td>
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<tr>
<td>Provides direct support for older people who need affordable appropriate, healthy and stable housing.</td>
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### Item 8

<table>
<thead>
<tr>
<th>Weaknesses/limitations</th>
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<tbody>
<tr>
<td>In the context of COVID-19 Council and Panuku's revenue streams have been significantly negatively impacted. It may not be feasible to continue financial support over and above what is currently planned.</td>
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</table>

<table>
<thead>
<tr>
<th>Risks and mitigation</th>
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<tbody>
<tr>
<td>Reliance on the IRRS, which typically does not provide enough financial support for CHPs to further develop housing stock.</td>
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</tr>
<tr>
<td>If sufficient ongoing financial support is not obtained to enable Haumaru to continue to increase its current stock, this may contribute to increased pressure on housing stock for older people and this may impact on the health and wellbeing of this group.</td>
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</tr>
<tr>
<td>Panuku and Council may face reputational risk if provision is not made to increase / upgrade the current stock of Haumaru Housing.</td>
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### Intervention Characteristics

<table>
<thead>
<tr>
<th>Impact and reach</th>
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<tbody>
<tr>
<td>Could provide affordable, stable housing for older people on the social housing waiting list.</td>
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<tr>
<td>The impact and reach of the intervention is dependent on the overall Haumaru Housing funding model, including Haumaru Housing debt and IRRs contracts. The previous credit facility enabled delivery of 40 one bedroom, wheelchair accessible homes.</td>
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<table>
<thead>
<tr>
<th>Benefits / cost effectiveness</th>
<th></th>
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<tbody>
<tr>
<td>The key benefit is:</td>
<td></td>
</tr>
<tr>
<td>provision of affordable housing for older people on the social housing waitlist that may struggle to find affordable or appropriate accommodation in the private rental market.</td>
<td></td>
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<tr>
<td>Outcomes are:</td>
<td></td>
</tr>
<tr>
<td>improved health, community and wellbeing outcomes in line with Auckland Plan priorities</td>
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</tr>
<tr>
<td>potential savings to the Crown for costs of health care, housing including temporary housing.</td>
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<tr>
<td>Cost effectiveness:</td>
<td></td>
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<tr>
<td>delivered as part of current BAU</td>
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<tr>
<td>the nature of a development site and the type of unit impact on the cost per unit and there may be potential to target sites or unit types that enable development at lower cost</td>
<td></td>
</tr>
<tr>
<td>larger scale developments can produce economies of scale that can reduce development costs</td>
<td></td>
</tr>
<tr>
<td>negotiations for purchase or sale of Council owned land within the Haumaru portfolio seek to enable balance cost and efficiency and effectiveness (but trade-offs around land suitability need to be factored in).</td>
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### Other factors to consider

<table>
<thead>
<tr>
<th>Evidence / Assumptions</th>
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<tbody>
<tr>
<td>Panuku/Haumaru willing to look for new, innovative models of funding to ensure cost-effectiveness while ensuring high-quality provision of housing.</td>
<td></td>
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</tbody>
</table>
### Current deployment
- In 2016, when Haumaru Housing was established, a $20 million development loan was given. The purpose was to support development of the Housing for Older People portfolio, the development sites at 21-23 Henderson Valley Road and 81A Godley Road, and any additional Housing for Older People development sites. Wilsher Village was developed through this, with 40 units for older people opening in late 2019. In total 40 units have been delivered and 527 capital upgrades have been completed since 2016 bringing these units up to IRRS standard.

### Ongoing review of effectiveness of interventions
- Number of people over 65 on (and moving off) the Haumaru Social Housing waitlist.
- Number of units developed or refurbished.
- Measuring benefits of Haumaru Housing including across key wellbeing indicators e.g. health, social connectedness, isolation, safety.

### Overall impact and value for money
Further investment in Haumaru Housing will allow scaling up the growth of the portfolio to deliver more units sooner in response to rapidly increasing demand in Auckland.

### Other information sources
- [https://www.panuku.co.nz/downloads/assets/4917/1/housing%20for%20older%20people%20high%20level%20project%20plan.pdf](https://www.panuku.co.nz/downloads/assets/4917/1/housing%20for%20older%20people%20high%20level%20project%20plan.pdf)
Intervention: Planning changes - requirements for affordable housing in the Unitary Plan

Report back to committee for decision making in November: Complex initiatives – which may require separate advice and decision making.

i) modelling inclusionary zoning, other planning mechanisms and incentives
ii) retained affordability mechanisms and rental tenure security for renters

Introduction and context

- Planning can play a positive role in placemaking and supporting housing delivery that meets local needs by encouraging development at the right density and quality, and by coordinating infrastructure provision to support changing communities.
- With current public sector investment in urban regeneration at Northcote, Mt Roskill and Māngere, and enabling infrastructure including City Rail Link and core infrastructure across Auckland, there are significant opportunities to deliver more homes and create better places through coordinated planning effort. Auckland Council is working with partners in these locations and across Auckland to deliver this and ensure benefits for generations to come.
- The Auckland Unitary Plan allows for the required density and housing typologies that can contribute to affordable housing in the right locations, supported by good access to jobs, community services and public transport. But more tools are needed.
- With recent announcements from the Ministry of Housing and Urban Development (HUD) on progressive home ownership and further engagement with partners and stakeholders, Auckland Council is well positioned to support retained affordable housing, owned and managed by CHPs, and made available on a secure-tenancy rental or leasehold basis. Removing the ‘developer’ profit model out of the finance model could allow CHPs (with Council/central government support) to purchase and build affordable homes for rent or leasehold that meet the needs of the intermediate sector.
- This would see a significant change in the Auckland housing market and a clear public commitment from Council, acknowledging that while previous steps taken to address housing affordability in Auckland have had some impact, more needs to be done. To enable such a change to the AUP, it is preferred that central government take a leadership role to introduce legislation to enable councils to address housing affordability using a range of tools, including ‘inclusionary zoning’.
- While forms of progressive home ownership and shared ownership may support the upper end of the intermediate housing market, there is support for retained affordable housing to benefit the lower end. This retained affordable housing may be secured through any IZ introduced through the AUP and delivered by partner CHPs, or by Kāinga Ora in partnership with CHPs.
- Retained affordable housing is the preferred model for affordable housing secured through any change to the AUP. This would require developers to partner with a registered CHP with housing or land sold to CHPs at an affordable level, and CHPs then able to rent or sell (on a leasehold basis) to qualifying individuals or families.
- Further work with central government is suggested along with modelling (around specific thresholds and requirements) and active promotion of diverse housing tenures and typologies. Engagement across all of the residential property development industry (focused on those developing at scale) will be required.
- Current resource management reform and other legislative changes may allow value capture tools to be revisited, linking increased development opportunities with requirements to provide contributions for community benefit.
- An initial and necessary step is to improve the data collection and monitoring processes within Council to ensure we have robust information on current levels of affordable housing (delivered by Kāinga Ora, CHPs and private sector developers) to inform changes to policy and practice. This would include agreeing on scope and definitions relating to affordable housing and a framework for monitoring and reporting. Existing systems and processes would be adapted and used to ensure a consistent approach across Council. Improving and confirming these monitoring and reporting mechanisms will allow Council to measure change and the impact of interventions.

<table>
<thead>
<tr>
<th>Intervention Description</th>
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<tbody>
<tr>
<td><strong>Description</strong></td>
<td>Proposing a requirement for affordable housing in the AUP.</td>
</tr>
<tr>
<td></td>
<td>• Could work alongside/complement other initiatives from the work programme.</td>
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<td>• Will help people in the intermediate housing sector access secure and affordable housing.</td>
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<td>• Will make secure affordable rental and home ownership possible for families and give people a permanent home and security.</td>
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<td>• Relies on involvement of CHPs, Regulatory Services, and the development industry.</td>
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<td>• Scope to be flexible to include relative and retained affordable housing products, with a preference for retained affordable housing to support the lower end of the intermediate housing sector.</td>
</tr>
</tbody>
</table>

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<tr>
<th>Intervention type (Effectiveness factor)</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Increased motivation for people in the intermediate housing sector to contact a CHP and take steps towards home ownership.</td>
</tr>
<tr>
<td></td>
<td>Could secure up to 400 additional homes each year for the intermediate sector.</td>
</tr>
<tr>
<td></td>
<td>Doesn’t necessarily increase the number of homes built but could increase the number and/or proportion of lower cost homes.</td>
</tr>
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<td>Will assist partial or progressive home ownership.</td>
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<td>Flexibility to fit with different rent/ownership models.</td>
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<td>Significant benefits for the intermediate housing sector and their families.</td>
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<td>Could help provide more certainty for CHPs as they seek to expand their reach and portfolios.</td>
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<tr>
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<td>Removing the ‘developer’ profit model out of the finance model could allow CHPs (with Council/central government support) to purchase and build affordable homes for rent or leasehold that meet the needs of the intermediate sector.</td>
</tr>
<tr>
<td></td>
<td>Strong public signal to development industry that affordable housing is a priority.</td>
</tr>
</tbody>
</table>

**Situational characteristics**

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**Item 8**

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**Attachment D**

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**Affordable housing report back: Approval for forward work programme**

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**Page 87**
## Item 8

### Suit what problem
- Increase the number and market share of lower cost homes.
- Increase the number of people that own their own home.
- Contribute to an affordable rental sector that is fit for purpose with secure tenancies.
- Provide some level of confirmed development funding for larger schemes (CHPs buy in, KiwiBuild).

### Suits what target groups
- Cannot differentiate between types of people in the AUP.
- The plan could refer to income groups which would meet the intermediate market definition.
- Refer to external relative benchmarks for income groups (i.e. Auckland median household income from Statistics New Zealand).
- Developers could work with CHPs and CHPs could screen, support and match eligible people with suitable homes.

### Strengths
- Up to 400 lower cost homes per year.
- Increased security for homeowners, social benefits including community connections and education stability for children.
- Objectives and policies already in AUP.
- Step change in how we enable mixed and balanced communities and support first home buyers.

### Weaknesses/limitations
- Length of time to implement (plan change likely to take at least one-year, two-year implementation lead-in time may be required).
- Cost of required plan change process.
- Barriers to implement - developers need to partner with a CHP (or become one).
- Long time to take effect (at least three years).
- Unintended consequences - could make it easier to develop in Kāinga Ora areas if they don’t have affordable housing requirements.
- Potential for any new requirement to put increased costs on other housing through cross-subsidy.
- Any AUP requirement may limit participation in any future central government housing subsidy or grant schemes.
- Potential for central government to bring forward additional tools to deliver similar outcomes – need to work together.
- Artificial threshold/level beyond which requirement applies that could serve to skew housing market, leading to fewer dwellings per development.
- May contribute to some housing developments being uneivable due to additional requirements and limits on sale prices.

### Risks and (mitigation)
- Developers may oppose such a plan change. (Seek support from central government.)
- Current lack of capacity for many CHPs to work with developers. (Need to consider Council resourcing of screening process, some CHPs can scale up quickly.)
- Potential risk of slowing housing delivery, including making larger developments uneivable, developers building to just under threshold. (Develop guidance and case studies for applicants, support and partner with CHPs.)
- Potential for increased cost to applicants to prove that scheme is uneivable with affordable housing requirements. Cost to Council to review - new territory. (Develop guidance for applicants and consent processing.)
- Negative impact on surrounding house prices, either through a cross subsidy, or market forces. (Ongoing monitoring, higher threshold targets larger developers, consideration of cash in lieu payments for smaller requirements.)
- Shift from established development economics. Having to factor in the additional responsibility of providing affordable housing, and being eating into profit, needing to factor this into investment decision making. (Staggered introduction of policy with direction form central government.)
- A shift towards a two-tier system with a preference towards smaller sites with limited yield that sit under the threshold and therefore have no requirement for affordable housing.
- Larger sites are generally more complex to develop and may cause developers/owners to look at uses other than housing, thereby losing potential land for housing to commercial uses, especially in business zones.
- Poor monitoring and enforcement of affordable housing delivery. This needs to be addressed across the programme, whatever the intervention package. (Set up comprehensive and robust affordable housing/housing monitoring strategy that integrates well with existing SAP system.)
- There may be a risk that the housing market is already delivering to the intermediate market through smaller dwellings and apartments and the sale of existing units within the sub $600,000 market. Introducing additional regulation in this area may not help. (Address definition and monitoring first.)
- Could be seen as a re-litigation of the issues raised and dismissed by the IHP through the Auckland Unitary Plan hearings five years ago. Similar concerns would be raised by submitters, with current COVID-19 factors possibly compounding these.

### Intervention Characteristics

**Impact and reach**

- Up to 400 affordable houses per year.
- Significant impact on the 200-400 families that will buy a home/access secure rental.
- Improved access to affordable rental products.
- Option for mix of relative and retained products.
- Screening process would need to be defined with CHPs, prioritisation for intermediate market.
- Medium impact across the market, high impact for individuals/families.
- Option for pre-application advice, processing and design review process.
- No evidence of an impact on the house prices of non-affordable housing, either within the development or beyond.
- Locational demand for intermediate housing is not well understood.
- Monitoring strategy required with support for changes to SAP. (See comments above.)
- New understanding of housing market in current economic context (COVID-19) - changes in balance of housing need and housing supply.
- Concerns about lack of uptake could be addressed through agreement with screening CHPs and a process developed to address situations where dwellings do not sell.
### Benefits / cost effectiveness
- Benefits - security of tenure for individuals and families.
- Potential to release state housing dwellings or support regeneration in Kāinga Ora areas.
- Contributes to variety of housing stock.
- Costs - transaction costs for Council, implementation and monitoring costs for Council and CHPs, ongoing CHP costs for retained affordable.
- Helps establish shared ownership products in the New Zealand market.
- Options for affordable housing to include relative (purchased with a bank loan), retained (owned by CHP and rented by secure tenancy), shared ownership models (with options to ‘staircase into full ownership), build to rent models, community-led models (co-housing).
- Potential to reduce number of people in substandard housing, increase options for people looking to buy first home, increase in investment options for institutional investors (build to rent).
- Key trade-off: increased regulation for increase in affordable housing to meet the needs of the intermediate sector.

### Other factors to consider

#### Evidence / Assumptions
- That we are not currently achieving a range of price points in the current housing market to meet the needs of the intermediate housing sector.
- That there is demand/established need for this type of intervention.
- That CHPs are able to support the programme (or be supported by Council).
- Current resource management reform and other legislative changes may allow value capture tools to be revisited, linking increased development opportunities with requirements to provide contributions for community benefit.

#### Current deployment
- HASHAA legislation sought to identify Special Housing Areas (SHAs).
- A number of precincts in the AUP use ‘rollover’ provisions from the HASHAA legislation to secure affordable housing. Council has had significant issues in securing, implementing and monitoring these provisions. Mechanisms were not set up in advance to support these provisions.
- This type of intervention is often referred to as Inclusionary Zoning (somewhat misleading) in countries such as the United States and Australia and some European countries.
- Established and widespread use in England (national guidance with local application) - secured through the planning process and factored into the development economics.
- Not well-established in NZ. Queenstown Lakes District Council (QLDC) has some provisions encouraging affordable housing and are looking to make this more widespread. There are significant Environment Court decisions relating to this and the way RMA tests are used. QLDC also works with a single CHP making delivery easier.
- Other NZ councils are considering requiring affordable housing including Christchurch, Tauranga and Wellington.
### Ongoing review of effectiveness of interventions

- Monitoring would be required - more straightforward if CHPs were engaged to screen applicants.
- Definitions would need to be agreed, e.g. what does ‘affordable’ include? (Number of dwellings delivered in the lower quartile price range, could include social/Kāinga Ora dwellings or just intermediate? Secured through AUP, delivered by developer (under threshold), delivered by mhi/CHP, delivered through KiwiBuild etc.
- Identified need to set up comprehensive and robust affordable housing/housing monitoring strategy that integrates well with existing SAP system.

### Overall impact and value for money

- Potentially high risk of not being successful, high cost to secure a change to the AUP, with potentially low on-going benefit to community.
- Ongoing cost to Council - contract/agreement required to outsource screening process to CHPs.
- Would recommend a 15 dwelling threshold and a 5 or 10 per cent requirement to deliver maximum result with a reasonable, but not excessive burden on the development industry.
- Preference to focus intervention on the affordable rent segment of the intermediate market (i.e. retained affordable housing) as recent government initiatives support relative affordable housing and progressive home ownership.
- Guidance on the design and inclusion of affordable housing within schemes would be beneficial to ensure a tenure blind product was delivered as much as possible.
- Confirm a straightforward process to avoid lack of uptake by screening CHPs.

### Other information sources

- [https://scholarship.sha.cornell.edu/crer/vol14/iss1/10/](https://scholarship.sha.cornell.edu/crer/vol14/iss1/10/)
- [https://www.rtpi.org.uk/media/2220516/rtpi_better_planning_housing_affordability_position_paper_-_February_2017.pdf](https://www.rtpi.org.uk/media/2220516/rtpi_better_planning_housing_affordability_position_paper_-_February_2017.pdf)
- [http://andruselaw.wustl.edu/Articles/Inclusionary%20Zoning%20Report%202016.pdf](http://andruselaw.wustl.edu/Articles/Inclusionary%20Zoning%20Report%202016.pdf)
- [https://www.lonz.co.nz/housing2030/supply/affordable-housing/](https://www.lonz.co.nz/housing2030/supply/affordable-housing/)
a) Investigate regulatory and non-regulatory interventions modelling inclusionary zoning, other planning mechanisms and incentives

Policy Brief on Inclusionary Zoning and Shared Ownership Schemes

Mario A. Fernandez

Shane L. Martin

1. Affordable housing is a challenge for New Zealand society in the long-run. There is the need to develop affordability policies that improve the chances of low and moderate-income households to become homeowners. Historically, policy debate has focused on supply-side interventions, relying almost solely on increasing land supply as the mechanism to improve affordability. In recent years policy has (slightly) switched toward interventions where the cost of housing is made cheaper through some form of policy intervention, rather than prices being set strictly by the market (Emsley et al., 2008). Auckland Council has been working to identify which affordable housing policies are both feasible and effective.

2. Amongst the affordability policies discussed in the public debate, Inclusionary Zoning (IZ) and Shared Ownership (SO) schemes have received wide attention. These interventions involve policies on both the supply and demand sides of the housing market, working to close the gap between house prices and how much first-home buyers can afford (Fernandez, 2020). However, before these programmes can be properly implemented, their costs and potential effectiveness on improving access to homeownership for low and moderate-income households in Auckland must be explored.

3. To investigate how effective different affordability policies could be, we constructed a mathematical model that simulates the interaction between potential homebuyers (current renters) and new dwellings entering the market. It measures the extent to which these potential buyers can purchase a dwelling, given various settings of IZ and SO policy. Details of the model setup, simulation scenarios and full set of quantitative results may be found in Fernandez (2019), Fernandez & Martin (2020), Fernandez (2020) and Auckland Council (2017).

4. Quantitative findings and implications from the above-mentioned documents are summarized as follows:

- Affordability will likely not improve by relying solely on increasing development opportunities in Auckland. Houses will not be delivered at affordable prices, which means that additional policy interventions that close the gap between market prices and the purchasing power of first-homebuyers are necessary.

- Policy design features such as setting an income threshold (below which households gain access to an affordable house) and the target price (below which an affordable house is defined) are policy relevant. For example, a KiwiBuild-type programme with a target price of $750,000 (rather than $650,000) increases the pool of affordable houses available to potential first-home buyers. Jointly with setting a threshold (e.g. between $96,000 and $120,000), the bidding pressure from richer households is mitigated. Therefore, moderate-income households have a greater chance to become homeowners.
• The cost of SO increases with respect to the “generosity” of the programme. If a housing association (HA) absorbs 20% of the dwelling price, the programme costs about $752,000, for a price target of $650,000; or, $8,800,577, for a price target of $750,000. As the price share absorbed by the HA increases, the SO cost does too. However, results suggest that an “optimal” policy configuration targeted to moderate-income households (i.e. households earning $96,000 or less), an IZ-type programme should be set at a target price of $750,000 and the SO discount should be set between 40% and 60% in order to maximize the number of additional buyers. A discount greater than 60% costs more but does not result in more moderate-income homebuyers.

• Hybrid approaches should be explored. IZ may be implemented by stages. Staging of IZ consists of directing affordable houses to low-income households. Any houses that cannot be sold are then cascaded to subsequent population groups with higher incomes. A hybrid approach defined by two target prices, results in a greater number of sales relative to conventional IZ, while maintaining market efficiency and equity.

5. The results of this research should be interpreted as insights to the potential of scalability of IZ and SO schemes. That is, how large they need to be so they are relevant to moderate-income households and which combinations of policy settings generate the most impact.

Bibliography


### Intervention: Planning changes - option for affordable housing in the Unitary Plan

1. Modelling inclusionary zoning, other planning mechanisms and incentives
2. Retained affordability mechanisms and rental tenure security for renters

<table>
<thead>
<tr>
<th>Description</th>
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<td>• Relies on involvement with CHPs, Regulatory Services, development industry.</td>
</tr>
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<td>• Scope to be flexible to include relative and retained affordable housing products, with a preference for retained affordable housing to support the lower end of the intermediate housing sector.</td>
</tr>
<tr>
<td></td>
<td>• Would need to have an incentive and threshold offered alongside to encourage developers to choose this path. Incentive options include pre-application advice and design review, as well as density bonuses, additional height, and parking (although these are limited).</td>
</tr>
<tr>
<td></td>
<td>• Option for this to also sit outside of the Unitary Plan as another method (non-regulatory).</td>
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<thead>
<tr>
<th>Intervention type (Effectiveness factor)</th>
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<td>• Increased motivation for people in the intermediate housing sector to contact a CHP and act to own a house.</td>
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<td>• Could secure additional homes each year for the intermediate sector.</td>
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<td>• Public signal to development industry that affordable housing is a priority.</td>
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<table>
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<tr>
<th>Situational characteristics</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Suits what problem</td>
<td>• More attractive to development industry.</td>
</tr>
<tr>
<td></td>
<td>• Lower implementation costs for Council (no or low costs associated with plan change).</td>
</tr>
<tr>
<td></td>
<td>• Easier to implement, less resistance from development industry.</td>
</tr>
<tr>
<td>Suits what target groups</td>
<td>• Cannot differentiate between groups of people in the AUP.</td>
</tr>
<tr>
<td></td>
<td>• The plan may refer to income groups which would meet the intermediate market definition.</td>
</tr>
<tr>
<td>Strengths</td>
<td>Weaknesses/limitations</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>• Developers would work with CHPs and CHPs would match eligible people with suitable homes.</td>
<td>• Risks of capturing affordable housing that might have been delivered anyway with benefiting from incentives.</td>
</tr>
<tr>
<td>• Potential to be introduced quickly.</td>
<td>• No certainty of delivery, and no evidence to support an increase in delivery.</td>
</tr>
<tr>
<td>• Potential to raise awareness if not action.</td>
<td>• Incentives of density bonus, additional height, parking are limited.</td>
</tr>
<tr>
<td>• May encourage consideration of affordable housing as a route to getting developments 'over the line' in terms of consenting, which may be less onerous.</td>
<td>• Any bonuses may allow marginal developments to come forward.</td>
</tr>
<tr>
<td>• Objectives and policies already in AUP.</td>
<td>• May place increased pressure on social infrastructure with unplanned for density.</td>
</tr>
<tr>
<td>• Potential for proportionate bonuses allowed in recognition for delivery of affordable housing.</td>
<td>• We are seeing an increase in the proportion of smaller and low-cost housing being delivered anyway.</td>
</tr>
<tr>
<td>• Not introducing restrictive regulation that could dampen housing supply and prevent.</td>
<td>• Unclear process if affordable homes fail to sell to target intermediate market.</td>
</tr>
</tbody>
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<table>
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<tr>
<th>Risks and mitigation</th>
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<td>• Current lack of capacity for many CHPs to work with developers. (Need to consider Council resourcing of screening process. Some CHPs can scale up quickly.)</td>
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<td>• Potential for increased cost to Council to review applications - new territory. (Develop guidance for applicants and consent processing.)</td>
</tr>
<tr>
<td>• Potential cost to Council of providing free pre-application advice, design review services etc.</td>
</tr>
<tr>
<td>• Less certainty for developers and Council - negotiations required on level of affordable housing contribution and any related bonuses being sought.</td>
</tr>
<tr>
<td>• Negotiations would require significant Council time and training.</td>
</tr>
<tr>
<td>• No current values established for parking, density and height. (These would change with time so hard to agree.)</td>
</tr>
<tr>
<td>• Negative impact on surrounding house prices, either through a cross subsidy, or market forces. (Ongoing monitoring.)</td>
</tr>
<tr>
<td>• Poor monitoring and enforcement of affordable housing delivery. This needs to be addressed across the programme, whatever the intervention package. (Set up comprehensive and robust affordable housing/housing monitoring strategy that integrates well with existing SAP system.)</td>
</tr>
</tbody>
</table>
- There may be a risk that the housing market is already delivering to the intermediate market through smaller dwellings and apartments and the sale of existing units within the sub $600,000 market. Therefore, an optional measure may confuse the landscape and give away too much in terms of bonuses.

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<tbody>
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<td><strong>Impact and reach</strong></td>
<td>• Some affordable houses delivered per year - impact unclear at this stage.</td>
</tr>
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<td></td>
<td>• Significant impact on the families that will buy a home/access secure rental.</td>
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<td>• Improved access to affordable rental products.</td>
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| Benefits / cost effectiveness |  |
|-------------------------------|• Benefits - security of tenure for individuals and families. |
|                               | • Contributes to variety of housing stock. |
|                               | • Costs - transaction costs for Council, implementation and monitoring costs for Council and CHPs, ongoing CHP costs for retained affordable. |
|                               | • Options for affordable housing to include relative (purchased with a bank loan), retained (owned by CHP and rented by secure tenancy), shared ownership models (with options to ‘staircase’ into full ownership), build to rent models, community-led models (co-housing). |
|                               | • Key trade-off: increased flexibility for housing (parking, height, density) or reduction in Council revenue from developers for marginal increase in affordable housing to meet the needs of the intermediate sector. |

| Other factors to consider     |  |
|-------------------------------|  |
| **Evidence / Assumptions**    | • That we are not currently achieving a range of price points in the current housing market to meet the needs of the intermediate housing sector. |
|                               | • That voluntary mechanisms will provide enough of an incentive for some housing developers to consider this route. |
|                               | • That CHPs are able to support the programme (or be supported by Council). |
- That CHPs and commercial developers may over time proactively build partnerships to plan and deliver schemes with affordable housing.
- That a requirement for affordable housing will not be supported by the private residential development industry and a voluntary approach might be supported.
- Current resource management reform and other legislative changes may allow value capture tools to be revisited, linking increased development opportunities with requirements to provide contributions for community benefit.

### Current deployment
- HASHAA legislation sought to identify Special Housing Areas (SHAs).
- A number of precincts in the AUP use ‘rollover’ provisions from the HASHAA legislation to secure affordable housing. Council has had significant issues in securing, implementing, and monitoring these provisions. Mechanisms were not set up in advance to support these provisions.
- We already have objectives and policies in the AUP (RPS: urban growth and form) that any intervention would relate to.
- Queenstown has some experience in a voluntary approach.
- Victoria (Australia) has voluntary provisions that encourage affordable housing.

### Ongoing review of effectiveness of interventions
- Monitoring would be required - more straightforward if CHPs were engaged to screen applicants.
- Definitions would need to be agreed, e.g. what does ‘affordable’ include? (Number of dwellings delivered in the lower quartile price range, could include social/Kāinga Ora dwellings or just intermediate?) Secured through AUP delivered by developer, delivered by Iwi/CHP, delivered through KiwiBuild etc.
- Unclear expected uptake of voluntary affordable housing.
- Identified need to set up comprehensive and robust affordable housing/housing monitoring strategy that integrates well with existing SAP system.

### Overall impact and value for money
- Potentially low risk of not being successful. Low cost to secure a change to the AUP (if required), with potentially low on-going benefit to the wider community.
- Ongoing cost to Council - contract/agreement required to outsource screening process to CHP/CHPs.
- Would require guidance to be drafted for both developers/applicants and Council staff to guide negotiation of level of affordable housing and any related bonus incentives.
- Guidance on the design and inclusion of affordable housing within schemes would be beneficial to ensure a tenure blind product was delivered.
- Confirm a straightforward process to avoid lack of uptake with screening CHPs.

### Other information sources
<table>
<thead>
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<th>Attachment D</th>
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- [https://www.semanticscholar.org/paper/Price-Effects-of-a-Voluntary-Affordable-Housing-1-Bucaram-Fern%C3%A1ndez/07416f9e884b9908a74aa16424d24673ce0e9ede](https://www.semanticscholar.org/paper/Price-Effects-of-a-Voluntary-Affordable-Housing-1-Bucaram-Fern%C3%A1ndez/07416f9e884b9908a74aa16424d24673ce0e9ede)
Auckland Unitary Plan (Operative in Part) – Request to make operative Private Plan Change 32 (Avondale Jockey Club)

File No.: CP2020/11942

Te take mō te pūrongo
Purpose of the report
1. To make operative Private Plan Change 32 (Avondale Jockey Club) to the Auckland Unitary Plan (Operative in Part).

Whakarāpopototanga matua
Executive summary
2. Private Plan Change 32 is a privately initiated plan change from the Avondale Jockey Club which seeks to rezone 1,870m² of land at Avondale Racecourse from Special Purpose – Major Recreation Facility to Terraced Housing and Apartment Building Zone in the Auckland Unitary Plan (Operative in Part) (AUP). The request also proposes to remove the land in the private plan change area from the Avondale Racecourse Precinct.

3. Plan Change 32 was notified on 29 August 2019, with 10 primary submissions and one further submission received, and was heard and considered by independent hearing commissioners on 6 March 2020. A decision was issued by the chairperson on behalf of council on 10 July 2020 to approve the plan change with no modifications.

4. No appeals were received, and therefore the plan change can now be made operative.

Ngā tūtohunga
Recommendation/s
That the Planning Committee:

a) approve Private Plan Change 32, Avondale Jockey Club to the Auckland Unitary Plan (Operative in Part) under clause 17(2) of Schedule 1 of the Resource Management Act 1991

b) authorise staff to complete the necessary statutory processes to publicly notify the date on which the plan change becomes operative as soon as practicable, in accordance with the requirements in clause 20(2) of Schedule 1 of the Resource Management Act 1991.

Horopaki
Context
5. Private Plan Change 32 seeks to rezone 1,870m² of land at Avondale Racecourse from Special Purpose – Major Recreation Facility to Terraced Housing and Apartment Building Zone in the Auckland Unitary Plan (Operative in Part) (AUP). The request also proposes to remove the land in the private plan change area from the Avondale Racecourse Precinct.

6. Plan Change 32 was notified on 29 August 2019, with 10 primary submissions and one further submission received, and was heard and considered by independent hearing commissioners on 6 March 2020. A decision was issued by the chairperson on behalf of council on 10 July 2020 to approve the plan change with no modifications.

7. No appeals were received, and the plan change can now be made operative.
Tātaritanga me ngā tohutohu
Analysis and advice


9. Clause 17(2) states that ‘a local authority may approve part of a policy statement or plan, if all submissions or appeals relating to that part have been disposed of’. There were no appeals received and council can now approve the plan change.

10. Clause 20 of Schedule 1 sets out the process that is required to be undertaken for the notification of the operative date. Plans and Places staff will notify the operative date as soon as possible following the Planning Committee’s resolution.

Tauākī whakaaweawe āhuarangi
Climate impact statement

11. As a procedural request, impacts on climate change are not relevant to this recommendation.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views

12. Auckland Transport and Watercare Services Limited provided comments on the application prior to notification. Auckland Transport made a submission in support of the plan change, under the condition that the Auckland Unitary Plan (Operative in Part) provides a mechanism to assess the effects of traffic.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views

13. Whau Local Board was consulted on Plan Change 32 prior to notification. The Local Board Chair supported the plan change.

14. Local Board views were not sought for this report as making Plan Change 32 operative is a procedural matter.

Tauākī whakaaweawe Māori
Māori impact statement

15. Prior to notification, the applicant circulated the Plan Change to the 11 iwi groups recognised as having an interest in the site. In summary, Ngāti Whātua o Kaipara, Ngāti Te Ata, Te Ahiwaru – Waiohua and Te Kawerau Ā Maki responded. Te Ahiwaru – Waiohua was the only group who expressed concern over land to be retained as a buffer between the racecourse and the residents but noted that this was only an opinion as this was not their primary area of interest. All other groups that responded confirmed that they had no issues with the plan change or deferred to other iwi. Ngāti Te Ata deferred to Ngāti Whātua o Kaipara; and Ngāti Whātua o Kaipara deferred to Te Kawerau Ā Maki who had no objections.

16. No iwi groups submitted on the plan change.

Ngā ritenga ā-pūtea
Financial implications

17. There are no financial implications associated with making the plan change operative.
Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations
18. There are no risks associated with making the plan change operative.

Ngā koringa ā-muri
Next steps
19. The final step in making the plan change operative is to publicly notify the date on which it will become operative, and to update the Auckland Unitary Plan.

Ngā tāpirihanga
Attachments
There are no attachments for this report.

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Authorisers</th>
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<tr>
<td>Katie Maxwell - Graduate Planner</td>
<td>John Duguid - General Manager - Plans and Places</td>
</tr>
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<td>Megan Tyler - Chief of Strategy</td>
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Auckland Unitary Plan (Operative in Part) – Request to make operative Plan Change 34 (Special Character Statement for Special Character Areas Overlay – Howick Business)

File No.: CP2020/11560

Te take mō te pūrongo
Purpose of the report
1. To seek approval to make operative Plan Change 34 to the Auckland Unitary Plan (Operative in Part): Special Character Statement for Special Character Areas Overlay – Howick Business.

Whakarāpopototanga matua
Executive summary
2. Plan Change 34: Special Character Statement for Special Character Areas Overlay – Howick Business (Plan Change 34), a council-initiated plan change, sought to address two matters. The first is to add a special character statement for the existing Howick Business Special Character Area (Howick Business SCA) to Schedule 15 of the Auckland Unitary Plan (Operative in Part) (Auckland Unitary Plan).

3. The second matter that Plan Change 34 addressed was to amend the extent of the existing Howick Business SCA to include four additional sites because of the contribution buildings on those sites made to the special character values of the area. These four sites are within the Howick town centre and are zoned either business or open space.

4. A panel of independent commissioners have approved Plan Change 34, subject to modification (the decision). This decision on Plan Change 34 includes adding the special character statement for the Howick Business SCA. The decision also adds the four sites within the extent of the Howick Business SCA.

5. This decision was publicly notified on 25 June 2020. No appeals were received on this decision.

6. The relevant parts of the Auckland Unitary Plan can now be amended and made operative as set out in the decision (and included in Attachment A of the agenda report).

Ngā tūtohunga
Recommendation/s
That the Planning Committee:

a) approve Plan Change 34 to the Auckland Unitary Plan (Operative in Part) that adds four additional sites and a special character statement for the Special Character Areas Overlay in the Howick town centre, as identified in Attachment A of the agenda report

b) request staff to complete the necessary statutory processes to publicly notify the date on which Plan Change 34 will become operative as soon as practicable.
Plan Change 34 is a council-initiated plan change that was notified on 24 October 2019. The plan change sought to address two matters.

The first matter was to add a special character statement for the existing Howick Business SCA to Schedule 15 of the Auckland Unitary Plan. Prior to the approved plan change, the Howick Business SCA was the only special character area in the Auckland Unitary Plan that did not have a special character statement. Special character statements are important because they identify the special character values of the special character area.

The second matter that Plan Change 34 addressed was to amend the extent of the existing Howick Business SCA to include four additional sites. This is due to the contribution that buildings on these sites make to the special character values of the special character area. These four sites are within the Howick town centre and are zoned either Business – Town Centre or Open Space – Community.

The map below shows the location of the Howick Business SCA and the four sites to be added to the special character area.

Independent hearing commissioners were given delegated authority by Auckland Council to hear and make the decision on the plan change. The hearing commissioners approved Plan Change 34, subject to modification (the decision) on 11 June 2020. The decision included adding the special character statement for the Howick Business SCA, with some text changes from what was in the notified plan change. The decision also added the four sites within the extent of the Howick Business SCA. This is the same as what was notified in the plan change.

The decision was publicly notified on 25 June 2020. No appeals were received on this decision.
13. The relevant parts of the Auckland Unitary Plan can now be amended and made operative as set out in the decision and shown in Attachment A of the agenda report. Amendments include changes to the extent of the SCA Overlay in the GIS Viewer and text changes to Schedule 15.1.6.1 and Chapter D18.1. Text to be added is shown as underlined and text to be removed is shown struck through. Red text that is underlined was inserted by the hearing commissioners in the decision. Red text that is underlined and struck through was proposed to be added by Plan Change 34 but was deleted by the hearing commissioners in the decision.

Tātaritanga me ngā tohutohu
Analysis and advice


15. Clause 17(2) of Schedule 1 states that “a local authority may approve part of a policy statement or plan, if all submissions or appeals have been disposed of”. There were no appeals received on Plan Change 34 and the council can now approve the plan change.

16. Clause 20 of Schedule 1 sets out the process that needs to be undertaken for the notification of the operative date.

Tauākī whakaaweawe āhuarangi
Climate impact statement

17. As a procedural request, impacts on climate change are not relevant to this recommendation.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views

18. The final step in making additional parts of the Auckland Unitary Plan operative is a procedural step and therefore does not have any impact on the council group.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views

19. The Howick Local Board was consulted on Plan Change 34 prior to notification. The local board’s views were also sought for the section 42A hearing report.

20. The Howick Local Board views were not sought for this report as it addresses factual and procedural matters. Staff have updated the Howick Local Board on the decision to Plan Change 34.

Tauākī whakaaweawe Māori
Māori impact statement

21. Relevant iwi authorities were consulted on the draft plan change prior to notification in accordance with Schedule 1 of the RMA. The final step in making additional parts of the Auckland Unitary Plan operative is a procedural step.

Ngā ritenga ā-pūtea
Financial implications

22. The cost of making additional parts of the Auckland Unitary Plan operative is covered by the Plans and Places department’s operational budget.
Risks and mitigations
23. There are no risks associated with making the relevant parts of Plan Change 34 operative.

Next steps
24. Following a resolution from this Committee, staff will publicly notify the date on which the relevant parts of Plan Change 34 will become operative and update the Auckland Unitary Plan (Operative in Part), in accordance with Schedule 1 of the RMA.

Attachments

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Signatories

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<th>Katrina David - Principal Planner</th>
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<td>Authorisers</td>
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<td>Megan Tyler - Chief of Strategy</td>
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</table>
Plan Change 34 – Special Character Statement Appendix 1 – Track Changed Version

Schedule 15 Special Character Schedule, Statements and Maps

15.1.1. Background

15.1.6. Special Character Areas Overlay – Business – Character Statements and Maps

15.1.6.1. Special Character Areas Overlay – Business:

Howick 15.1.6.1.1. Extent of area

Special Character Area Map:

The extent of the Special Character Areas Overlay – Business: Howick can be found in the planning maps.

Description:

The extent of the overlay area reflects the commercial centre of Howick, located along Picton Street, and includes parts of Fencible Drive, Moore Street.
Uxbridge Road, Selwyn Road, Parkhill Road, Wellington Street and Walter MacDonald Street.

Picton Street is the mainstreet of Howick town centre. It is bookended by two historic landmarks: Stockade Hill to the northwest and All Saints Church (the Selwyn Church) at the southeastern end of Picton Street, at the junction of Selwyn Road, Cook and Picton Streets. Both Stockade Hill and All Saints Church are visible in views along Picton Street from the centre of the commercial area. All Saints Church is one of the most iconic and character-defining buildings of the centre.

15.1.6.1.2. Summary of special character values

No special character statement has been prepared for Howick.

Historical:

The area collectively reflects an important aspect, or is representative, of a significant period and pattern of community development within the region or locality.

Howick and its surrounds were traditionally known as Owairoa, which means ‘of the long (flat) water’. The historic Paparoa pā was located south of Howick Beach, and pā, kāinga, middens and agricultural areas that were cultivated with kumara and bracken fern, are scattered throughout the area.

Howick is associated with an early period of European settlement and development in Auckland. Howick was established as a Fencible settlement in 1847. It was the first and largest of four Fencible settlements to the south of Auckland, tasked with guarding the south-eastern approaches to Auckland. The other three were at Onehunga, Panmure and Otahuhu.

The features of the initial military settlement included the redoubt of Stockade Hill overlooking the surrounding landscape and roads radiating from the township along the ridgelines. Howick is named after the Rt Hon. Henry George Grey, 3rd Earl Grey and Viscount Howick, who was secretary for the Colonies in the British Parliament. Howick’s links to Auckland’s colonial and Fencible past are evident in both the street pattern and the naming of streets after British military heroes or battles such as Wellington, Picton, Waterloo and Uxbridge.

Howick was established with key features of a British settlement, including a village green (now Howick Domain, off Howe Street) and an Anglican Church, All Saints Church, erected in 1847 (the oldest surviving intact church in Auckland, the first parish church to be built in the Auckland region and one of the oldest remaining parish churches in New Zealand). This was followed by construction of the original Our Lady Star of the Sea Roman Catholic Church, on the corner of Parkhill Road and Picton Street, in 1854. The two churches with graveyards, located on the main street, and in close proximity to one another are a rare surviving feature amongst all of the south Auckland Fencible settlements.

Originally, the commercial centre of Howick was focused around Howe Street. However, following the opening of the wharf in the late 19th century, Howick evolved into a popular seaside village and the community wanted to be closer to the churches and be able to enjoy the sea views. Therefore, during the early 20th century the main street commercial activity shifted to Picton Street, on the
dominant ridgeline, where it remains today.

Following the initial military period of its history, Howick remained a small rural, seaside village that serviced the surrounding eastern farming areas. There was limited access to Auckland. Picton Street developed in the interwar period, from 1920 – 1930. Many of Howick’s character defining buildings derive from this period. The 1930s saw the construction of a concrete all-weather road connecting Howick to Panmure via Pakuranga.

Following the end of WWII, Howick experienced rapid growth in conjunction with investment in transport infrastructure that connected the area with other settlements, such as Penrose, Greenlane, Panmure and Otahuhu. Growth also occurred because of major post-war subdivisions that were undertaken to help remedy the housing shortage. The opening of the Panmure bridge in 1959 was a catalyst for further development. A number of commercial buildings on Howick’s main street date from the late 1950s to 1970s.

**Physical and visual qualities:**

The area collectively reflects important or representative buildings, types, designs, styles, methods of construction, materials and craftsmanship, urban patterns, landscape, and streetscape qualities.

The overlay area is of significance for its physical and visual qualities as it represents the structure of an early rural village within greater Auckland. The overlay area demonstrates in its structure and built fabric, the progressive development of the town centre from the establishment of Howick in the Victorian era through to commercial expansion and consolidation in the latter half of the 20th century through to present day.

15.1.6.1.3. **Description of physical and visual qualities**

**Built Form**

**Period of development**

The core commercial area, centred on Picton Street, includes a small number of 1920s and 1930s commercial buildings, which are identified as character-defining buildings. However, most of the buildings along Picton Street date from the mid-20th century: late 1950s, 1960s and 1970s, following the opening of Panmure Bridge in 1959.

Fencible Drive was formed after 1959 and buildings along that street date from the second half of the 20th and early 21st centuries. Fencible Drive, itself, does not contribute to the special character of Howick, however 34 Moore Street (former Howick Borough Council Buildings) and 16 Fencible Drive contribute to the sense of place of Howick village.

It is the early street layout of Picton Street and its cross streets, subdivision pattern, open spaces, views on entry into the village towards All Saints Church, views to and from Stockade Hill, and views from Picton Street over Howick Beach to the Tamaki Strait, Gulf Islands and Beachlands that lends Howick its character.

Both Stockade Hill and All Saints Church are visible in views along Picton Street. The centre section of the street in the vicinity of the Uxbridge Road – Picton Street intersection is reasonably flat with the sections of Picton Street...
beyond rising towards Stockade Hill and towards All Saints Church, adding
to the bookend qualities of these features.

Scale of development

While there are only a small number of historic buildings, one of the defining
characteristics of Howick town centre is the scale of development. Picton Street
possesses an intimate scale of one and two-storey buildings including two solid
masonry two storey buildings from the early 20th century, both of which are
scheduled historic heritage places (Marine Hotel (former)/Prospect of Howick
Hotel and McInness Building). Larger developments, both in height and scale are
located behind the main street, fronting Fencible Drive.

This scale of development was further reinforced by height limits of 9m along
much of Picton Street the western side of Wellington Street and the south-
western side of Fencible Drive in the legacy Manukau District Plan. This has
been carried through to the Auckland Unitary Plan via the height variation
control.

A greater height of 12m was provided for in the legacy Manukau District Plan on
the northeastern side of Fencible Drive. This has been increased to 13m on the
northeastern side of Fencible Drive (to provide greater variety in roof forms) and
in Picton Street on some of the scheduled historic heritage buildings (to
recognise the greater height of the church spires).

Form and relationship to street

Howick town centre includes two distinct urban forms that relate to key stages of
development. The first is the Picton Street traditional main street. Buildings have
a strong relationship to the street, directly abutting the footpath with continuous
verandahs over retail shopfronts, with large windows and direct openings to the
street.

The roof forms of the churches, the hipped roof of the Prospect of Howick and
the many differing roof forms of mid-20th century retail buildings contribute to the
diversity of forms and interest along Picton Street.

Exceptions to this continuous built pattern occur at Market Square, which
contains the Howick War Memorial Community Centre (information centre) and
with cafes and community facilities opening onto it, is a hub for the village. Other
locations with breaks to the built edge include the garden outside the former
Prospect of Howick Hotel on the corner of Picton Street and Uxbridge Road. The
Our Lady Star of the Sea graveyard, which, dating from the mid-19th century,
precedes many of the buildings on Picton Street, and affords views to the Tamaki
Strait.

In contrast, the blocks behind Picton Street, fronting Wellington Street and
Fencible Drive, which relate to later development from 1959 onwards, do not
exhibit the same strong relationship to the street and do not contribute to the
character of Howick village. On the southwestern side of Fencible Drive,
buildings are typically two storeys and built to the street edge, while the north-
western side buildings are of a larger scale and mass and are set back from the
street edge with car parking in front. The large gap in the street frontage on the
southwestern side of Fencible Drive, and change of level within the adjacent
car park, allows panoramic views from the street towards the Howick Domain.

Major features and buildings
Character-defining buildings which make an important contribution to the area are shown on the special character area map. These include:

- 78 Picton Street – Good Home (Marine Hotel (former)/Prospect of Howick Hotel)
- 127 Picton Street – McInness Building (Macs Corner)
- 9 Selwyn Road - All Saints Church (Selwyn Church) and graveyard

Character-supporting buildings which contribute to the character and identity of Howick village are shown on the special character map and include:

- 28 Picton Street – Our Lady Star of the Sea Roman Catholic Church and graveyard
- 65 Picton Street – Bells Butchery and Rices Bakery
- 115 Picton Street – Howick War Memorial Community Centre (information centre)
- 35 Uxbridge Road - Uxbridge Arts & Culture Centre

Uxbridge, at the northern edge of the overlay area, is a community hub that includes the old wooden Uxbridge Presbyterian church dating from 1907 as well as the neighbouring Garden of Memories. Market square is also of significance as a gathering space and hub of the village.

Other contributing features include the bluestone kerbs, lampposts, street furniture, bus shelter Market Place adjacent to the Howick War Memorial Community Centre (Information Centre), the band rotunda, street trees, and the remnants of the old concrete road which add to the distinctive local amenity of Picton Street.

At the edge of the special character overlay area, the WWI and WWII memorial obelisk on the scheduled historic heritage Stockade Hill and the spire and Cypress trees at All Saints Church (Selwyn Church), also a scheduled historic heritage place, act as vertical markers for the entrances to the village centre.

**Density/Pattern of development**

Building frontages are based around an early subdivision pattern with lot widths between 12-30m. Buildings built to the street edge create a high density (although relatively low-rise) pattern of development that is maintained throughout Picton Street.

The lots fronting Fencible Drive are larger and less uniform and dominated by surface carparking. The buildings have large footprints and are up to 3 storeys, on the northeastern side of the street, with lower heights and a finer grain on the southwestern side of the street.

**Types**

The overlay area includes a range of building types and styles that reflect its development over a long period of time. The varied range of building types contributes to the vibrancy of the streetscape. Rather than a uniform architectural style. Howick village is defined by its street and subdivision pattern, relationship to heritage buildings and places and sea vistas between buildings.

**Visual coherence**
Despite stylistic variations, the general consistency along Picton Street of one to two storey relatively continuous buildings built to the street edge with overhanging verandahs, lamp posts and exotic street trees provides visual coherence to Picton Street as a main street.

There is less visual coherence to Fencible Drive.

15.1.6.1.4. Architectural values

Materials and construction – built fabric

Visual coherence is further strengthened by a limited palette of materials and colours reminiscent of an English British village including rendered brick, exposed red brick and white painted weatherboard, with red tile or slate/wooden shingle roofs. The Prospect of Howick and Howick Library with their exposed red bricks and yellow facings dominate the northeastern side of the village. Those colours and materials are repeated in other commercial buildings along Picton Street, including Howick War Memorial Community Centre. Windows are generally set within a solid facade. Some shopfronts exhibit the traditional tiled shopfront detailing.

15.1.6.1.5. Urban Structure

Subdivision

The subdivision pattern of the overlay area reflects the periods of development, as large farm blocks were subdivided for commercial and residential purposes in the mid-20th century. The lot sizes on Picton Street are generally narrower than the surrounding residential lots. The relatively narrow lot widths create a fine-grained character to the centre.

In contrast, the lot sizes on Fencible Drive are predominantly large parcels both in street frontage and depth.

Road pattern

The street pattern in Howick town centre is relatively organic, reflecting the landscape. Picton Street follows the dominant ridge, while side streets radiate on spur ridges wending towards Howick Beach/Mellons Bay to the north or Howick Domain to the south. This street pattern affords vistas from the town centre to the surrounding landscape, including the Tamaki Strait, which reinforces Howick’s sense of place as a seaside village.

Streetscape

The special character of Howick village has evolved from its roots as a traditional British seaside village. It is the interrelationship of seascape, landscape and built form that lends Howick its charm and special character.

The form of commercial development within the overlay area is that of a traditional suburban town centre, serving the surrounding residential area.

The continuous retail frontage punctuated by open spaces with views to Stockade Hill and the Tamaki Strait, Gulf Islands and Beachlands reinforces the connection to the sea, and the topography which rises from the centre of the street emphasises the views of both Stockade Hill and All Saints Church along the street. The retail contributes to the streetscape quality by providing active building frontages with a mix of uses.

Parallel parking on both sides of the street and several pedestrian crossing points moderate traffic and lend Picton Street, and the neighbouring cross...
streets, a pedestrian-orientated character. At some of the intersections the footpath has been widened to provide amenity areas which contain seating and planting. Uxbridge Road is notable with the garden of Prospect of Howick on one side and the rotunda on the other.

Vegetation and landscape characteristics

Howick has a number of mature exotic and some select native trees, many of them scheduled notable trees in the Auckland Unitary Plan, which lend character to Howick, reinforcing the sense of an English British village, and providing seasonal colour and enclosure to Picton Street. These include the oaks and Norfolk Island pines on Stockade Hill, Cypress trees in the ground of All Saint’s Church, English oaks in the ground of Our Lady Star of the Sea Roman Catholic Church and pohutukawa trees and oaks on Cook Street.

The natural topography of the area, with the mainstreet running along a ridge, which rises at both ends towards Stockade Hill and All Saints Church, and providing views through gaps towards the Tamaki Strait, Gulf Islands and Beachlands makes a significant contribution to the overall character of the area.
D18. Special Character Areas Overlay – Residential and Business

D18.1. Background

The Special Character Areas Overlay – Residential and Business seeks to retain and manage 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.

Each special character area, other than Howick, is supported by a Special character area statement identifying the key special character values of the area. Assessment of proposals for development and modifications to buildings within special character areas will be considered against the relevant policies and the special character area statements and the special character values that are identified in those statements. These values set out and identify the overall notable or distinctive aesthetic, physical and visual qualities of the area and community associations.

Standards have been placed on the use, development and demolition of buildings to manage change in these areas.

Special character areas are provided for as follows:

1) Special Character Areas - Business; and

2) Special Character Areas – Residential; and

3) Special Character Areas - General (both residential and business).

Areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay - Residential provisions will apply and for any site/s in a business zone, the Special Character Areas Overlay - Business provisions will apply.

The following areas are identified as special character areas:

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<td>Special Character Areas Overlay – Residential: Early Road Links</td>
<td>Special Character Areas Overlay – Business: Helensville Central</td>
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<tr>
<td>Special Character Areas Overlay – Residential: Kings Road and Princes Avenue</td>
<td>Special Character Areas Overlay – Business: Kingsland</td>
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<tr>
<td>Special Character Areas Overlay – Residential: Isthmus A</td>
<td>Special Character Areas Overlay – Business: Lower Hinemoa Street</td>
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<tr>
<td>Special Character Areas Overlay – Residential: Isthmus B - Remuera</td>
<td>Special Character Areas Overlay – Business: Devonport</td>
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<tr>
<td>Special Character Areas Overlay – Residential: Isthmus B - Remuera / Meadowbank</td>
<td>Special Character Areas Overlay – Business: Mt Eden Village</td>
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<tr>
<td>Special Character Areas Overlay – Residential: Isthmus B – Mission Bay</td>
<td>Special Character Areas Overlay – Business: Newmarket</td>
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<td>Special Character Areas Overlay – Residential: Isthmus B – St Heliers</td>
<td>Special Character Areas Overlay – Business: Parnell</td>
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<tr>
<td>Special Character Areas Overlay – Residential: Isthmus B – Horn Bay</td>
<td>Special Character Areas Overlay – Business: Ponsonby Road</td>
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<tr>
<td>Special Character Areas Overlay – Residential: Isthmus B - Parnell</td>
<td>Special Character Areas Overlay – Business: Sandringham</td>
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<td>Special Character Areas Overlay – Residential: Isthmus B - Epsom</td>
<td>Special Character Areas Overlay – Business: Upper Symonds Street</td>
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<tr>
<td>Special Character Areas Overlay - Residential</td>
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<td>Special Character Areas Overlay – General (both Residential and Business)</td>
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<tr>
<td>Special Character Areas Overlay – Residential: Isthmus B – Epsom/Greenlane</td>
<td>Special Character Areas Overlay – Business: West Lynn</td>
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<tr>
<td>Special Character Areas Overlay – Residential: Isthmus B – Mount Eden/Epsom (Part A)</td>
<td>Special Character Areas Overlay – Business: Onehunga</td>
<td></td>
</tr>
<tr>
<td>Special Character Areas Overlay – Residential: Isthmus B – Mount Eden/Epsom (Part B)</td>
<td>Special Character Areas Overlay – Business: Otahuhu</td>
<td></td>
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<tr>
<td>Special Character Areas Overlay – Residential: Isthmus B - Mount Albert</td>
<td>Special Character Areas Overlay – Residential: Isthmus B - Mount Roskill</td>
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<tr>
<td>Special Character Areas Overlay – Residential: Isthmus B - Otahuhu</td>
<td>Special Character Areas Overlay – Residential: Isthmus C - St Heliers/Glendowie</td>
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<tr>
<td>Special Character Areas Overlay – Residential: Isthmus C - Mount Eden</td>
<td>Special Character Areas Overlay – Residential: Isthmus C - Three Kings</td>
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<tr>
<td>Special Character Areas Overlay – Residential : Station Road, Papatoetoe</td>
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<tr>
<td>Special Character Areas Overlay – Residential : Puakehana Avenue</td>
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</tr>
</tbody>
</table>

The special character area statements are located in Schedule 15 Special Character Schedule, Statements and Maps.

Note 1

There is no special character area statement for Special Character Area Overlay – Business : Howick.

The maps for the following special character areas are located in Schedule 15 Special Character Schedule, Statements and Maps:

<table>
<thead>
<tr>
<th>Special Character Areas Overlay - Residential</th>
<th>Special Character Areas Overlay - Business</th>
<th>Special Character Areas Overlay – General (both Residential and Business)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Character Areas Overlay – Residential : Balmoral Tram Suburb, West</td>
<td>Special Character Areas Overlay – Business : Balmoral Shopping Centre</td>
<td>Special Character Areas Overlay – General : Balmoral Tram Suburb, East</td>
</tr>
<tr>
<td>Special Character Areas Overlay – Residential : Helensville</td>
<td>Special Character Areas Overlay – Business : Eden Valley</td>
<td>Special Character Areas Overlay – General : Foch Avenue and Haig Avenue</td>
</tr>
<tr>
<td>Special Character Areas Overlay – Residential : North Shore – Birkenhead Point</td>
<td>Special Character Areas Overlay – Business : Ellerslie</td>
<td></td>
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<tr>
<td>Special Character Areas Overlay – Residential : North Shore – Devonport and Stanley Point</td>
<td>Special Character Areas Overlay – Business : Grey Lynn</td>
<td></td>
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<tr>
<td>Special Character Areas Overlay – Residential : North Shore – Northcote Point</td>
<td>Special Character Areas Overlay – Business : Helensville Central</td>
<td></td>
</tr>
<tr>
<td>Special Character Areas Overlay – Residential : Early Road Links</td>
<td>Special Character Areas Overlay – Business : Kingsland</td>
<td></td>
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</table>

The maps for the following special character areas are only provided in the planning maps:

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<tr>
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<td>Special Character Areas Overlay – Business: Howick</td>
<td>Special Character Areas Overlay – General: Hill Park</td>
</tr>
</tbody>
</table>
D18.2. Objectives

...
Planning Committee
03 September 2020

Auckland Unitary Plan (Operative in Part) – Request to make operative Plan Change 34 (Special Character Statement for Special Character Areas Overlay – Howick Business)

Attachment A

Item 10
Te take mō te pūrongo
Purpose of the report
1. To obtain the Planning Committee’s approval to publicly notify changes to the Auckland Unitary Plan (Operative in Part) temporary activity standards and the Pukekohe Park precinct.

Whakarāpopototanga matua
Executive summary
2. Temporary activities include festival and events, concerts, parades, sporting events and filming. Temporary activities are managed under both the Auckland Unitary Plan (Operative in Part) (AUP) and the Trading and Events in Public Places Bylaw 2015. There is some duplication between the AUP standards and the Trading and Events in Public Places Bylaw 2015. The bylaw is currently under review.

3. Four issues have been raised by different council departments and Auckland Tourism, Events and Economic Development (ATEED) in relation to the management of temporary activities in the AUP.

4. The issues are:
   a) temporary activity standards in the AUP – some of the temporary activity standards are overly onerous and are triggering the need for costly and time-consuming resource consents (issue raised by ATEED);
   b) temporary activities (including filming) on Sites and Places of Significance to Mana Whenua and the appropriate management methods (issue raised by ATEED);
   c) a gap in the coastal temporary activities and noise from activities that are not defined in the AUP as “noise events” (issue raised by the Plans and Places Department);
   d) provision for temporary emergency works over and above that provided for under the emergency works sections of the Resource Management Act (sections 330 – 330B) (issue raised by the Auckland Emergency Management Team).

5. Two changes have been identified to the temporary activity standards and one change to the Pukekohe Park precinct. These changes would reduce compliance costs by enabling an increase in the number of temporary activities able to be undertaken as permitted activities. These changes are:
   a) requiring a traffic management plan (as a permitted activity standard) for an event in a rural or Future Urban zone where more than 500 vehicle movements per day on adjacent roads are generated;
   b) increasing the duration of those temporary activities that are defined as noise events (i.e. they exceed the noise standards for the zone) from six to eight hours;
   c) aligning Anzac Day in the Pukekohe Park precinct to the definition under the Anzac Day Act 1966.

6. Two additional minor changes are proposed to address anomalies - a gap in the coastal temporary activities and the temporary activities Activity Table.

7. No changes are recommended to temporary activities (including filming) on Sites and Places of Significance to Mana Whenua or the provision for temporary emergency works over and above that provided for under emergency works sections of the Resource Management Act.
8. The AUP objectives and policies seek to enable temporary activities so that they can contribute to a vibrant city and enhance the well-being of communities. At the same time, the AUP seeks to mitigate adverse effects on amenity values, communities, the natural environment, historic heritage and sites and places of significance to Mana Whenua. The proposed plan change does not alter these objectives and policies.

Ngā tūtohunga

Recommendation/s

That the Planning Committee:

a) approve the notification of the proposed plan change to the Auckland Unitary Plan (Operative in Part) to amend the temporary activity standards and the Pukekohe Park precinct in accordance with the changes in Attachment A. These changes involve:

i) amending rows A5 and A6 in the Temporary Activities “Activity Table” to refer to “temporary activities in public places or on private land”

ii) requiring a traffic management plan (as a permitted activity standard) for an event in a rural or Future Urban zone where more than 500 vehicle movements per day on adjacent roads are generated

iii) increasing the duration of those temporary activities that are defined as noise events (i.e. they exceed the noise standards for the zone) from six to eight hours

iv) adding a noise standard for temporary activities that generate noise but are not defined as “noise events” in the noise chapter of the Auckland – wide provisions

v) aligning Anzac Day in the Pukekohe Park precinct to the definition under the Anzac Day Act 1966

b) endorse the section 32 evaluation report contained as Attachment B to the agenda report

c) delegate to the Chair and Deputy Chair of the Planning Committee, and a member of the Independent Māori Statutory Board, the authority to make minor amendments to the proposed plan change prior to public notification.

Horopaki

Context

9. Temporary activities are defined in the AUP as:

An activity that:

- is outside the normal expected use of a site (or area within the coastal marine area);

And

- has a start and end date and time.

Includes:

- filming activities at temporary locations and activities accessory to that filming activity;
Item 11

• activities accessory to a building or construction project, such as scaffolding, fencing, offices or storage sheds;
• Council HazMobile collections;
• carnivals;
• concerts;
• fairs;
• festivals and events;
• public meetings;
• parades;
• special events;
• sporting events;
• overflow parking;
• temporary military training (land based only);
• emergency response training, including live burns carried out by the New Zealand Fire Service; and
• structures accessory to temporary activities.

10. Temporary activities are managed under both the AUP and the Trading and Events in Public Places Bylaw 2015. The bylaw is currently under review.

11. The AUP has an enabling approach to temporary activities – providing for them as permitted activities subject to compliance with standards. Where a standard is not able to be met, a temporary activity is a restricted discretionary activity and requires a resource consent.

12. Some of the temporary activity standards are overly onerous and are triggering the need for costly and time-consuming resource consents. There is also some duplication between the AUP standards and the Trading and Events in Public Places Bylaw 2015. For example, a Traffic Management Plan can be required under both the AUP (for an event in a rural or Future Urban zone where more than 500 vehicle movements per day on adjacent roads are generated) and the bylaw.

13. The standards relate to the duration of noise events, the requirement for a resource consent to address traffic management issues for events in rural areas and the interpretation of Anzac Day in relation to the Pukekohe Park precinct.

14. In addition to the above matters, the Plans and Places Department have also identified a discrepancy in the Temporary Activities Activity Table (E40.4.1) and a gap in the coastal temporary activity provisions (E25.6.14) which can also be addressed by this plan change.

15. The proposed changes are identified in Attachment A.

16. The AUP objectives and policies seek to enable temporary activities so they can contribute to a vibrant city and enhance the well-being of communities. At the same time, the plan seeks to mitigate adverse effects on amenity values, communities, the natural environment, historic heritage and sites and places of significance to Mana Whenua. The proposed plan change does not alter the objectives and policies.

17. Temporary activities with significant adverse effects which do not meet a relevant standard will still require a resource consent.

18. No changes are recommended to temporary activities (including filming) on Sites and Places of Significance to Mana Whenua or the provision for temporary emergency works over and above that provided for under emergency works section of the Resource Management Act.
19. The reasons for retaining the status quo in respect of these two matters are:

**Issue: Sites and Places of Significance to Mana Whenua Overlay**

Status quo – any temporary activity is a restricted discretionary activity. This provides the following:

- Plan users are able to clearly identify effects associated with known temporary activities on specific sites (note: different temporary activities have different effects and sites and places of significance have multiple values);
- Conditions can be imposed to avoid, or mitigate those effects;
- Iwi involvement in the resource consent process;
- A resource consent may be applied for that seeks more than one temporary activity on a site and place of significance to Mana Whenua. This would enable a much more efficient process than a series of “one off” resource consent applications;
- Affords a high level of protection for sites of significance to Mana Whenua as all temporary activities continue to be subject to a resource consent.

**Issue: Temporary Emergency Activities**

Status quo – rely on the provisions of the RMA (and the forthcoming replacement legislation). This provides the following:

- Lessons learnt after the Christchurch and Kaikoura earthquakes could be factored into the new legislation to provide greater powers and more appropriate timeframes to respond to an emergency/natural disaster;
- The new legislation will be able to address the short comings of the current RMA timeframes;
- This addresses the issue nationally at the lowest cost and highest net benefit (as opposed to individual councils undertaking plan changes).

**Tātaritanga me ōngā tohutohu**

**Analysis and advice**

20. ATEED advise there are approximately 1600 – 1800 events annually in the Auckland region. Not all these events require an event permit.

21. In 2017 there were 1379 event permits issued while in 2018 there were 1438 event permits. (Note: these figures exclude events permitted by ATEED and Regional Facilities Auckland (RFA) and in some cases, one permit may include multiple events).

22. According to resource consent data, 18 events required a resource consent in 2018 and 14 events required a resource consent in 2019. These figures do not show those events that did not take pace due to the applicants being dissuaded to apply having reviewed the resource consent requirements. The standards that are triggering the need for resource consent are:

- Pack in/pack out of the event
- Duration of the event
- Noise levels during pack in and pack out of the event
- Event is located on a site or place of significance to Mana Whenua.

23. An analysis of resource consent processing costs for temporary activity consents for 2018 indicate that costs can range from $4500 - $10,000 for each application with an average cost of just under $6000. These figures exclude the cost of putting the application together and advice from experts on matters such as noise and traffic management.
24. A summary of the options, costs and benefits of those options, recommendation and reasons for Issue 1 – Temporary Activity and Precinct Standards, is contained in the tables below. For a fuller analysis refer to the attached Section 32 Analysis.

**Issue 1 – Temporary Activity & Precinct Standards**

<table>
<thead>
<tr>
<th>Option</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option 1 – No change/status quo</td>
<td>This option retains the status quo. This means that a resource consent would be required for any activity not meeting the temporary activity standards which include noise limits, the duration of activities and traffic.</td>
</tr>
<tr>
<td>Option 2 – Amendments to the standards relating to noise limits &amp; duration of activities to provide some additional flexibility</td>
<td>This option involves some minor changes via a plan change to the temporary activity standards and a Pukekohe Park precinct standards which include, the duration of activities, traffic management and the definition of ANZAC day. Events of a significant duration and/or those that generate substantial noise would still trigger the need for resource consent.</td>
</tr>
<tr>
<td>Option 3 – Global resource consent</td>
<td>This option involves ATEED applying for resource consent for a number of recurring events at known locations. A global consent would negate the need for specific one-off resource consent applications, but these would still be required for any events/activities not captured by the global consent.</td>
</tr>
<tr>
<td>Note: Existing Use Rights remains an option for any event that was lawfully established and can demonstrate existing use rights</td>
<td>This option relies on existing use rights for recurring temporary activities that were lawfully established prior to the AUP e.g. Auckland marathon. Activities must however have been lawfully established and the effects of the use the same or similar in character, intensity and scale to those which existing before the AUP became operative in part. Events that have increased in size annually may therefore not be able rely on existing use rights.</td>
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<table>
<thead>
<tr>
<th>Option</th>
<th>Costs</th>
<th>Benefits</th>
</tr>
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<tbody>
<tr>
<td>Option 1</td>
<td>The time and costs associated with event organisers applying for multiple resource consents and the Council processing of those consents.</td>
<td>A higher level of protection is afforded to the amenity values of sites in proximity to temporary activity locations.</td>
</tr>
<tr>
<td>Option 2</td>
<td>A reduced level of protection is afforded to the amenity values of sites in proximity to temporary activity locations.</td>
<td>Threshold for a resource consent can be set at level that enables certain temporary activities with minor adverse effects to occur as permitted activities.</td>
</tr>
<tr>
<td>Option</td>
<td>Costs</td>
<td>Benefits</td>
</tr>
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</tr>
<tr>
<td>Option 3</td>
<td>The time and costs required to prepare a global resource consent.</td>
<td>Affords a higher level of protection to the amenity values of sites in proximity to temporary activity locations as all temporary activities that exceed the current standards are subject to a resource consent.</td>
</tr>
<tr>
<td></td>
<td>This is off set by the time and costs savings associated with the status quo – where multiple resource consents are required.</td>
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**Recommendation:**

Option 2 – Plan Change for minor amendments to the temporary activity and Pukekohe Park precinct standards relating to the duration of activities, traffic management and the definition of ANZAC day to provide some additional flexibility.

(Note: Existing Use Rights - this option continues to be available for any event that can establish existing use rights)

**Reasons:**

- Adjusting the requirements between what is a permitted activity and when resource consent is required will be effective in enabling a greater number of temporary activities to occur (without the need for resource consent);
- Removes the time and costs associated with the resource consent process for those temporary activities that would be able to meet the new standards;
- Threshold for a resource consent can be set at level that enables certain temporary activities with minor adverse effects to occur as a permitted activity;
- Reduces costs for some temporary activity organisers. This is particularly important for community fundraising events.

25. The options, costs and benefits of those options, recommendation and reasons for Issue 2 – Gap in the noise rules for coastal temporary activities, is contained in the tables below. For a fuller analysis refer to the attached Section 32 Analysis.

**Issue 2 – Gap in noise rules for coastal temporary activities**

<table>
<thead>
<tr>
<th>Option</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option 1 – No change/status quo</td>
<td>This option retains the status quo. This means that activities in the costal marine area (CMA) that are not defined as “noise events” have no applicable noise standards.</td>
</tr>
<tr>
<td>Option 2 – Plan Change to introduce a new noise rule for coastal temporary activities</td>
<td>This option addresses the gap in the provisions by introducing a noise standard or cross reference to a noise standard for activities in the CMA that are not defined as noise events. (Note: noise events are defined in the AUP as “an event that exceeds the general noise controls for a site (or area within the CMA) either in level or duration”.)</td>
</tr>
</tbody>
</table>
## Option 1
Potential environmental (amenity values) costs of temporary activities in the coastal marine area with no relevant noise standards

Benefits
There are benefits for temporary activities in the CMA as they do not need to comply with any noise standards at the coastal interface.

## Option 2
Costs associated with a plan change. The additional of a noise standard imposes an additional constraint on temporary activities in the CMA.

Benefits
Appropriate that temporary activities in the CMA do have a noise control at the coastal interface. This will assist in managing the effects of temporary activities on amenity values.

### Recommendation:
Option 2 – Plan Change to introduce a new noise rule for coastal temporary activities

### Reasons:
- Appropriate that temporary activities in the CMA do have a noise control at the coastal interface;
- If the noise standard is exceeded, then the activity is defined as a noise event and a different set of standards apply including the number, duration and noise limits for noise events;
- Addresses the issue in a cost-effective manner, particularly as this change is bundled with other changes.

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### Tauākī whakaaweawe āhuarangi
Climate impact statement
26. The propose changes to the temporary activity standards and the Pukekohe Park precinct are neutral in terms of climate change impacts.

### Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views
27. ATEED raised the issues associated with the AUP and temporary activities in a presentation to the Planning Committee in March 2019.
28. Feedback received from ATEED, the council’s Events team, event organisers and an analysis of resource consents for temporary activities has indicated that some of the current temporary activity standards in the AUP are onerous in some areas.
29. Auckland Transport were consulted on the proposed changes to the traffic management plan requirement in Standard - E40.6.2.

### Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views
30. A memo was sent to all local boards on 17 July 2020 outlining the proposed changes, the rational for them and the likely timeframes. No feedback was received.
31. Local boards are able to provide their formal feedback once submissions have closed. Formal feedback received from local boards will be included in the hearing report, along with the points raised by submitters. Those local boards that provide formal feedback will also have the opportunity to speak to their views at the hearing.

**Taūkī whakaaweawe Māori**  
Māori impact statement

32. Māori are both participants in temporary activities and organisers of events.

33. The Auckland Plan identifies four directives under the Māori Identity and Wellbeing outcome. Direction 4: Showcase Auckland’s Māori identity and vibrant Māori culture. Focus Area 6: Celebrate Māori culture and support te reo Māori to flourish, states that “a culturally vibrant Tāmaki Makaurau showcases Māori art, music and performance locally and globally. Continued expansion and resourcing is needed for events, and activities associated with Māori events, such as Matariki. Celebrations steeped in Māori culture can ignite all cultures in Auckland to celebrate their relationship with the land”. The plan identifies a need for a programme of Māori local and regional events and activities throughout the year. The proposed changes to the temporary activity provisions will assist Māori event organisers.

34. The Māori Plan identifies key directions. These include:

“A city/region that caters for diverse Māori lifestyles and experiences” (Māori communities are culturally vibrant across Tāmaki Makaurau); and

“People engaged in their communities.”

35. Actions by the Auckland Council group identified in the Māori Plan include:

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<thead>
<tr>
<th>Wairuatanga – Promote Distinctive Identity</th>
<th>Issue of Significance</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural</td>
<td>Distinctive Identity - Māori retain a sense of place and identity, and the wider community understands the value of diversity and embraces our unique culture.</td>
<td>Support an investigation into the feasibility of a Māori-led international indigenous arts festival in Tāmaki Makaurau.</td>
</tr>
<tr>
<td>Social</td>
<td>Cultural &amp; Spiritual Connection - Māori are enabled to maintain a social, cultural and spiritual connection to our uniquely cultural support systems including marae, wānanga and contemporary supports.</td>
<td>Partner with urban Māori authorities and Mataa waka marae to develop strategies and programmes that will increase the capacity of these organisations to engage with whānau Māori to provide more opportunities to participate in culturally supportive activities.</td>
</tr>
<tr>
<td>Economic</td>
<td>Thriving Business Networks - Māori business owners are enabled and supported to develop stronger business networks that will facilitate further business growth opportunities and support promotion of Māori businesses to the wider business community.</td>
<td>Facilitate opportunities for Māori business owners to participate in Major Events, including international events to build exposure and valuable business networks.</td>
</tr>
</tbody>
</table>
36. Temporary activities including festival and events, concerts, parades, and sporting events with a Māori focus are an important tool in achieving these directions. Reducing compliance costs will assist Māori event organisers.

37. A memorandum outlining the draft proposed plan change was sent to all Auckland’s 19 mana whenua entities as required under the Resource Management Act, on 14 July 2020.

38. Responses were received from Ngāti Whātua Ōrākei and Ngai Tai ki Tamaki.

39. Ngāti Whātua Ōrākei had no concerns with the proposed changes and did not need to engage further. Ngai Tai ki Tamaki advised that a potential concern is the MACCA (The Marine and Coastal Area Act – Takutai Moana) claims and legal processes. The proposed changes however do not impact on the activities able to be undertaken in the coastal marine area. They address a gap in the noise standards.

40. Consultation has also been undertaken with the Independent Māori Statutory Board.

Ngā ritenga ā-pūtea
Financial implications

41. The proposed plan change involves changes to some of the standards for temporary activities and the Pukekohe Park precinct in the AUP. This will make it easier for event organisers – i.e. they may not need a resource consent.

42. One staff member from Plans and Places (0.25 of an FTE) has been allocated to this project, with assistance from the Plans and Places Planning Technicians.

43. Staff from across the Council (CPO, ATEED, AT) and the IMSB will contribute knowledge and information. This will ensure the project team has a robust mix of capability and knowledge in the areas of planning, events and impacts on Māori.

44. In terms of financial implications – these include the typical costs of a plan change which are approximately $40,000 for a “simple plan change”. This is funded by both Plans and Places (plan change preparation) and Democracy Services (hearing and decision) from the existing 2020/2021 budget. On the savings side, the reduction in resource consent requirements will mean that some community-initiated events will not require resource consent which is a potential saving for local board funded events of between $5,000 to $10,000 for a typical event.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations

45. The risks and mitigations associated with Issue 1 – Temporary Activity & Precinct Standards options are:

<table>
<thead>
<tr>
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<tbody>
<tr>
<td><strong>Option</strong></td>
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<td>-----------</td>
</tr>
<tr>
<td>Option 1</td>
</tr>
</tbody>
</table>
### Item 11

<table>
<thead>
<tr>
<th>Option</th>
<th>Risks</th>
<th>Mitigations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option 2</td>
<td>A higher level of effects would be permitted, so the protection of amenity values associated with nearby sites would be lessened.</td>
<td>Setting the standards at a level where adverse effects are still appropriately managed. The Trading and Events in Public Places Bylaw 2015 can also be used to manage the effects associated with temporary activities, especially events.</td>
</tr>
<tr>
<td>Option 3</td>
<td>Lengthy and costly process of putting the global resource consent together. It can only address those known temporary activities – so is not future proofed.</td>
<td>ATEED prepares the &quot;global resource consent&quot; on behalf of event organisers. (Note: RFA has done this for three of its sites – Aotea Square, Auckland Zoo, Western Springs Park) The costs of the resource consent process are subsidised by Local Boards.</td>
</tr>
</tbody>
</table>

46. The risks and mitigations associated with Issue 2 – Gap in noise rules for coastal temporary activities options are:

#### Issue 2 – Gap in noise rules for coastal temporary activities

<table>
<thead>
<tr>
<th>Option</th>
<th>Risks</th>
<th>Mitigations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option 1</td>
<td>Significant adverse effects which impact on the amenity values of adjacent residential or open space areas could occur from temporary activities. Council would be powerless to take action, other than that provided for under section 16 of the RMA (Duty to avoid unreasonable noise).</td>
<td>The Trading and Events in Public Places Bylaw 2015 can also be used to manage the effects associated with temporary activities, especially events.</td>
</tr>
<tr>
<td>Option 2</td>
<td>More restrictive standards are applied to temporary activities in the CMA (coastal interface) though the plan change process.</td>
<td>While the usual noise limits for the adjacent zone (typically open space, residential or rural) will apply, the &quot;noise event&quot; standards come into play if these are exceeded.</td>
</tr>
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</table>
Ngā koringa ā-muri

Next steps

47. The key steps associated with any change to the AUP temporary activity provisions are outlined in the table below:

<table>
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<tr>
<th>Key Steps</th>
<th>Date</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>Notification of plan change (if approval is obtained from the Planning Committee)</td>
<td>End of Sept 2020</td>
<td>To be undertaken</td>
</tr>
<tr>
<td>Report to local boards to seek their formal views</td>
<td>Nov 2020</td>
<td>To be undertaken</td>
</tr>
<tr>
<td>Plan Change process (i.e. public notification, submissions, further submissions, preparation of the hearing report, hearing, release of decision, appeal period)</td>
<td>Sept – April 2021</td>
<td>To be undertaken</td>
</tr>
</tbody>
</table>

Ngā tāpirihanga

Attachments

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<th>Title</th>
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<td>Section 32 Evaluation report</td>
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</table>

Ngā kaihaina

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Authorisers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tony Reidy - Team Leader Planning</td>
<td>John Duguid - General Manager - Plans and Places Megan Tyler - Chief of Strategy</td>
</tr>
</tbody>
</table>

(Note: the Background, Objectives and Policies are shown for context only. They are unaffected by the Proposed Plan Change)

E40.1. Background

Temporary activities contribute to Auckland’s vibrancy and to the social, cultural and economic well-being of communities. Temporary activities also enable filming and training activities to be undertaken. Temporary activities may restrict public access and have adverse effects on amenity values, communities and the natural environment. To manage these effects the Plan contains rules for temporary activities on land and in the coastal marine area, and the particular effects of various activities are managed through bylaws. Events on public land or water must also obtain an event licence or permit under the relevant bylaws.

E40.2. Objectives [rcp/dp]

(1) Temporary activities and events contribute to a vibrant city and enhance the social, environmental, economic and cultural well-being of communities.
(2) Temporary activities are located and managed to mitigate adverse effects on amenity values, communities and the natural environment.
(3) Temporary activities are managed to minimise any adverse effects on the use and enjoyment of open space.
(4) Temporary activities involving large numbers of people predominantly occur in the Business – City Centre Zone, the Business – Metropolitan Centre Zone and the Auckland Domain.
(5) Temporary activities for training purposes are undertaken in appropriate locations so that amenity values are maintained and any adverse effects are avoided, remedied or mitigated.

E40.3. Policies [rcp/dp]

(1) Enable temporary activities and associated structures, provided any adverse effects on amenity values are avoided, remedied or mitigated, including by ensuring:
   (a) noise associated with the activity meets the specified standards;
   (b) activities on adjacent sites that are sensitive to noise are protected from unreasonable or unnecessary noise;
   (c) noise from outdoor events using electronically amplified equipment is controlled through limiting the times, duration and the frequency of events;
   (d) waste and litter are effectively managed and minimised; and
   (e) any restrictions on public access or other users of open space areas are minimised, and any adverse effects are mitigated.
(2) Enable temporary activities for filming purposes, including associated film sets, while managing any adverse effects.
(3) Control traffic generated by a temporary activity, including heavy traffic, so that it does not detract from:
   (a) the capacity of the road to safely and efficiently cater for motor vehicles, pedestrians and cyclists; and
   (b) the well-being of residents and reasonable functioning of businesses on surrounding sites.
(4) Require any disturbance of the foreshore or seabed from a temporary activity to be remedied, unless this can be achieved by natural processes.
(5) Require temporary activities involving large numbers of people to locate in areas where there is:
(a) capacity to safely host large numbers of people;
(b) sufficient parking where necessary;
(c) sufficient road network capacity for the event;
(d) capacity in the public transport network to service the event, or the ability for the event to be temporarily serviced by mass passenger transport; and
(e) the ability to avoid, remedy or mitigate adverse effects on the environment.
(6) Manage the effects of temporary activities so that the values of any scheduled ecological, natural character, natural features, landscape, historic heritage or Mana Whenua areas are maintained, and any adverse effects on the natural environment are avoided, remedied or mitigated.
(7) Manage the noise effects of temporary military training activities, and any adverse effects from other temporary training activities, so that amenity values are maintained.

**E40.4. Activity table**

Table E40.4.1 Activity table specifies the activity status of temporary activities under section 9(3) and section 12 of the Resource Management Act 1991 unless the activity is subject to a specific rule in an overlay, zone or precinct.

The Auckland-wide transport provisions (Section E27 Transport) do not apply to temporary activities.

All other Auckland-wide provisions, including Sections E25 Noise and vibration and E24 Lighting apply, unless a more specific rule provides for an activity in this chapter.

Note 1. The standards of the relevant zone in which the temporary activity is undertaken e.g. building height and yards, do not apply to the buildings and structures that are accessory to a temporary activity.

Note 2. The duration of the temporary activities specified in Table E40.4.1 and in the standards includes the time required to establish and remove all structures and activities associated with the activity and reinstate the site to its original condition.

**Note 3. These rules apply to temporary activities in the coastal marine area, other than:**

- rules for temporary military training activities (refer to Section F2 Coastal – General Coastal Marine Zone); and
- rules for temporary buildings including structures (refer to Section F2 Coastal – General Coastal Marine Zone).

Note 4. In addition to the rules in this Plan, temporary activities are also subject to the other acts and bylaws. All events on public land or water must obtain an event licence or permit under the relevant bylaws.

Note 5. For the purposes of the following activity table, standards and assessment criteria, the reference to ‘the City Centre and Metropolitan Centres’ means:
• the Business - City Centre Zone, the Business – Metropolitan Centre Zone and public open spaces (including the open space zones) within the area bound by the Business – City Centre Zone and Business – Metropolitan Centre Zones;
• the Coastal - Marina Zone at Westhaven; and
• the coastal marine area within the City Centre precincts for Westhaven, Wynyard, Viaduct Harbour, Central Wharves and the Port precincts.

E40.6. Standards

All activities listed as permitted in Table E40.4.1 must comply with the following standards.

(Note: only those standards that are affected by the Proposed Plan Change are shown)

E40.6.2. Traffic associated with temporary activities

Where an event in a rural zone or Future Urban Zone must not generate more than 500 vehicle movements per day on adjacent roads a Transport and Traffic Management Plan (prepared by a suitably qualified and experienced person) shall be prepared and implemented.

E40.6.4. Noise events outside the City Centre and Metropolitan Centres

Up to 15 noise events at a venue are permitted outside the City Centre and Metropolitan Centres in any 12 month period, provided that no more than two noise events occur in any seven-day period, and the noise event complies with all of the following:

(a) the noise event does not exceed six eight hours in duration, excluding;
(ii) two hours for sound testing and balancing that is undertaken between 9am and 7pm on the day of the event; and
(ii) the time required to establish and remove all structures and activities associated with the noise event and reinstate the site to its original condition prior to the noise event.
(b) the noise event (excluding the establishment and removal of all structures and activities associated with the noise event and reinstating the site to its original condition prior to the noise event) does not exceed a noise limit of 70dB LAeq and 80dB Lmax except;
(i) three noise events can have a noise limit of 80dB LAeq and 90dB Lmax for a maximum of three hours, excluding one hour for sound testing and balancing undertaken after 9am on the day of the event; and
(ii) three noise events in the Auckland Domain can be held with no noise limits applying.
(c) the noise event (excluding the time required to establish and remove all structures and activities associated with the noise event and reinstate the site to its original condition prior to the noise event) starts after 9am and ends by 11pm, except on New Year’s Day where the noise event ends by 1am;
(d) the noise limits applying to the establishment and removal of all structures and activities associated with the noise event and reinstating the site to its original condition prior to the noise event do not exceed the construction noise requirements of E25.6.27, except that up to 10pm on all days except Sunday, the noise levels at activities sensitive to noise do not exceed 60dB LAeq and 75dB Lmax for up to 3 hours following the conclusion of the event when measured and assessed in accordance with the requirements of E25.6.1(3).

E40.6.5. Noise events within the City Centre and Metropolitan Centres
Up to 18 noise events at a venue are permitted within the City Centre and Metropolitan Centres any 12 month period, provided no more than two noise events occur in any seven-day period and the noise event complies with all of the following:

(a) the noise event does not exceed six eight hours in duration, excluding:
   (i) two hours for sound testing and balancing that is undertaken between 9am and 7pm on the day of the event;
   (ii) the time required to establish and remove all structures and activities associated with the noise event and reinstate the site to its original condition prior to the noise event.

(b) the noise event (excluding the establishment and removal of all structures and activities associated with the noise event and reinstating the site to its original condition prior to the noise event) does not exceed a noise level of 70dB LAeq and 80dB LA10 except:
   (i) three noise events can have a noise limit of 80dB LAeq and 90dB LA10 for a maximum of three hours, excluding one hour for sound testing and balancing undertaken between 9am and 7pm on the day of the event; and
   (ii) three noise events can have a noise limit of 90dB LAeq and 95dB LA10, for a maximum of three hours, excluding one hour for sound testing and balancing undertaken between 9am and 7pm on the day of the event.

(c) the noise event (excluding the time required to establish and remove all structures and activities associated with the noise event and reinstate the site to its original condition prior to the noise event) starts after 9am and ends by 11pm, except on New Year’s Day where the noise event ends by 1am;

(d) the noise limits applying to the establishment and removal of all structures and activities associated with the noise event and reinstating the site to its original condition prior to the noise event do not exceed the construction noise requirements of E26.6.28.

I434. Pukekohe Park Precinct

(Note: the Precinct description is shown as context only. It is unaffected by the Proposed Plan Change)

I434.1. Precinct description

The Pukekohe Park Precinct provides specific planning controls for the use and development of Pukekohe Park. Pukekohe Park is located adjacent to Manukau Road in Pukekohe and was established in the 1920’s. The site comprises approximately 73 hectares and provides facilities for motor sports and horse racing.

The zoning of the land within the Pukekohe Park Precinct is Special Purpose – Major Recreation Facility Zone. The overlay, Auckland-wide and zone objectives and policies apply in this precinct in addition to those listed below.

Refer to the planning maps for the location and extent of the precinct.

I434.6. Standards

(Note: only those standards that are affected by the Proposed Plan Change are shown)

All permitted, controlled or restricted discretionary activities listed in Table I434.4.1 must comply with the following activity standards unless otherwise stated.

I434.6.1. Motorsport activities noise
(1) There must not be any use of the track by motor vehicles, except for vehicles undertaking track or facility maintenance or repairs, in all of the following circumstances:
(a) from 24 December to January 2 inclusive;
(b) on Good Friday, Easter Sunday and Anzac Day (note: where Anzac Day falls on a Saturday, it shall be observed until 1 pm in accordance with the Anzac Day Act 1966);
(c) on Mondays, Tuesdays or more than two Wednesdays of any month except for category E events;
(d) Five days before and after a Category A event except that the track can be used for one Category E event within each five day period; and
(e) Three days before and after a Category B event except that the track can be used for one Category E event within each three day period.

E25. Noise and vibration

(Note: only those standards that are affected by the Proposed Plan Change are shown)

E25.6.14 Noise levels at the coastal interface [rcp/dp]

(1) The noise (rating) level generated by any activity in the coastal marine area or on a lake or river must not exceed the levels in Table E25.6.14.1 Noise levels at the coastal interface when measured within the boundary of a site in a residential zone or notional boundary of any site in the Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone; Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone and Rural – Waitākere Ranges Zone.

Table E25.6.14.1 Noise levels at the coastal interface

<table>
<thead>
<tr>
<th>Time</th>
<th>Noise level</th>
</tr>
</thead>
<tbody>
<tr>
<td>7am-10pm</td>
<td>50dB L_{Aeq}</td>
</tr>
<tr>
<td>10pm-7am</td>
<td>40dB L_{Aeq}</td>
</tr>
<tr>
<td></td>
<td>75dB L_{Aeq,max}</td>
</tr>
</tbody>
</table>

(2) The noise levels in Standard E25.6.14(1) above do not apply to:
(a) the operational requirements of vessels (including cargo vessels, tugs, passenger liners, naval vessels and commercial fishing vessels); and
(b) temporary activities in E40 Temporary activities defined as “noise events”.

Proposed Plan Change XX – Temporary Activities

to the Auckland Unitary Plan (Operative in part)

SECTION 32
EVALUATION REPORT
Temporary Activities
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Attachment 2 - Examples of Temporary Activities Requiring Resource Consent
Attachment 3 - Proposed Changes to E40 - Temporary Activities, I434 - Pukekohe Park Precinct & E25 - Noise and Vibration
Executive Summary

Objectives

The objectives of this plan change evaluation are:

1. To ensure the Unitary Plan’s management of temporary activities (in particular – events and filming) strikes an appropriate balance between enabling temporary activities to occur whilst avoiding or mitigating adverse environmental effects.
2. To ensure the tools used to manage temporary activities result in an efficient process and avoid any unnecessary duplication between for example the Event Permit requirements, Film Auckland Protocols and the methods in the Unitary Plan.
3. To investigate the most appropriate method to manage temporary activities on sites of Significance to Mana Whenua (i.e. Unitary Plan v resource consent v event permit)
4. To address a gap in the coastal temporary activity provisions.
5. To enable appropriate responses to temporary emergency events.

Unitary Plan’s Approach to Temporary Activities

Temporary activities are defined in the Unitary Plan as:

An activity that:
- is outside the normal expected use of a site (or area within the coastal marine area);
- has a start and end date and time.

The definition includes a wide range of activities and events including filming activities at temporary locations and activities accessory to that filming, activities accessory to a building or construction project, (such as scaffolding, fencing, offices or storage sheds), concerts, parades, and sporting events.

Under the Unitary Plan, temporary activities are generally permitted activities subject to compliance with the relevant standards relating to:

- number of consecutive days the event can occur;
- the number of events;
- noise;
- traffic (in rural and future urban areas only);
- the temporary storage or stacking of goods;
- lighting of fireworks; and
- temporary military training activities.

The Event Permit

There are also processes and methods operating outside of the Unitary Plan to manage events occurring in public places. All events on public land require permission from Council under the Trading & Events in Public Places (TEPP) Bylaw 2015 through an event permit process.
Under the TEPP Bylaw an ‘event’ means an organised temporary activity that takes place on one or more days that is outside the normal expected use of a site and includes an organised gathering, parade, protest, wedding, private function (which is independent of premises), festival, concert, celebration, multi venue sports event of a significance scale, fun run, marathon, duathlons or triathlon.

Rationale for the Plan Change Evaluation

The objectives and policies associated with temporary activities still remain valid. The benefits of temporary activities – social, cultural, economic, quality of life, are still recognised. As is the duty to avoid adverse effects – noise, traffic, sites of significance to mana whenua.

This plan change evaluation focuses on the appropriateness of some of the Unitary Plan standards and whether the Unitary Plan, resource consent processes, bylaw or other mechanisms are more appropriate.

Auckland Council’s Event Facilitation, Arts Community and Events team (ATEED) have advised that the new Unitary Plan Temporary Activity provisions (operative in November 2018) are triggering the need for a number of resource consents. This is doubling up in some areas, in their opinion, on the event permit process. They have asked if the standards in particular can be reviewed. Areas of ATEED’s concern are:

1. Pack-in and pack-out noise
2. Duration of a temporary activity
3. Noise limits
4. Traffic associated with temporary activities (in rural and future urban areas)
5. The definition of Anzac Day
6. Temporary activities on sites and places of significance to Mana Whenua

An analysis of resource consent processing costs for temporary activity consents for 2018 indicate that cost can range from $4500 - $10,000 with an average cost of just under $9000. These figures exclude the cost of putting the application together and advice from experts such as noise, traffic etc.

In addition to the issues raised by ATEED, a gap in the coastal temporary activity provisions and an anomaly in the Temporary Activities Activity Table have been identified by Council staff.

The Auckland Emergency Management Team (part of the Customer and Community Services Department) have raised an issue about the ability to undertake emergency works and the need to apply for retrospective resource consents under the RMA in response to emergency activities or events (such as the Christchurch and Kaikoura earthquakes). They have asked if the temporary activity provisions could be expanded to provide for temporary emergency works.

Plan Change Components

There are four components to this plan change evaluation:

Issue 1 – Temporary Activity Standards (duration of temporary activities, traffic management and the definition of Anzac Day in the Pukekohe Park precinct)
Issue 2 – Temporary activities on Sites of Significance to Mana Whenua Overlay
Issue 3 – Coastal Temporary Activities
Issue 4 – Temporary Emergency Works

Options Considered and the Recommended Option

Issue 1 – Temporary Activity Standards

Option 1 – No change/status quo

Option 2 – Amendments to the standards relating to the duration of temporary activities, traffic management and the definition of Anzac Day in the Pukekohe Park precinct to provide more flexibility (Recommended)

Option 3 – Global resource consent

Issue 2 – Sites of Significance to Mana Whenua Overlay

Option 1 – No change/status quo

Option 2 – Enable all temporary activities as a permitted activity on sites of significance to mana whenua but subject to engagement with iwi and approval (if appropriate) through the event permit process

Option 3 – Enable certain temporary activities as permitted activities e.g. those that involve no buildings or structures, food preparation, toilet facilities etc. e.g. capping ceremony (Aotea Square), parades (Queen Street). Remainder require resource consent

Option 4 – “Global” resource consent (Recommended)

Option 5 – Rely on existing use rights for certain long held activities (but only if the scale of these activities remains the same or similar)

Issue 3 – Coastal Temporary Activities

Option 1 – No change/status quo

Option 2 – Plan change to adding an additional noise standard in E40 for activities that generate noise but are not noise events (Recommended)

Issue 4 – Temporary Emergency Activities

Option 1 – No change/status quo – rely on the provisions of the Resource Management Act 1991

Option 2 – Plan change to specifically provide for temporary emergency activities as a permitted activity, under the temporary activity provisions.

Option 3 – Amendments to the RMA. (Recommended)
Scope of the Plan Change Evaluation

Within scope

- Amendments to the temporary activity controls relating to the duration of temporary activities, traffic management and the definition of Anzac Day in the Pukekohe Park precinct to provide additional flexibility;
- Temporary activities on Sites and Places of Significance to Mana Whenua;
- A new noise rule for coastal temporary activities; and
- Temporary emergency activities.

Out of scope

- Providing for freedom camping as a permitted activity in the relevant Open Space zones (this will be the subject of a separate evaluation)
- Changes to the Trading and Events in Public Places (TEPP) Bylaw;
- Changes to the Auckland Council’s Freedom Camping Bylaw;
- Changes to legislation (although this evaluation could form the basis for part of a wider Auckland Council submission);
- Any “global resource consent” application; and
- Establishing whether existing use rights apply to any event.
Section 1.0 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 XX (PPCXX) to the Auckland Unitary Plan (Operative in Part) (AUP).

This Section 32 Report assesses possible changes to the Temporary Activity provisions.

1.1 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 through the consideration of other options and with reference to the existing provisions, 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.

1.2 The Evaluation Approach

This section outlines how the proposed plan change has 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:

i. the ‘proposal’ means this component of the Plan Change;

ii. the ‘objectives’ means the objectives of the Plan Change – that is:

1. To ensure the Unitary Plan’s management of temporary activities (in particular – events and filming) strikes the right balance between enabling temporary activities to occur whilst avoiding or mitigating adverse environmental effects.

2. To ensure the tools used to manage temporary activities result in an efficient management process and avoid any unnecessary duplication between for example the Event Permit requirements, Film Auckland protocols and the Unitary Plan.

3. To Investigate the most appropriate method to manage temporary activities on sites of Significance to Mana Whenua (i.e. Unitary Plan v resource consent v event permit)

4. To address a gap in the coastal temporary activity provisions.

5. To enable appropriate responses to temporary emergency events, and

iii. the ‘provisions’ means the method(s) used to give effect to the above objectives – in this case the temporary activity standards.
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<td>This section outlines the engagement and consultation undertaken in preparing PCXX. It also includes a summary of all advice received from iwi authorities (as required by section 32(4)(a) of the RMA) and local boards on PCXX.</td>
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<td>Section 8: Development of Possible Options</td>
<td>This section identifies the criteria used to select potential options for consideration to address the resource management issue(s) and to achieve the objectives of the plan change. Initial high-level options are identified followed by more specific options for each of the issue(s).</td>
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<td>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(s).</td>
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<td>In accordance with subsections 32(1)(a) and (1)(b)(iii) of the RMA, this section examines the extent to which the objectives of the proposal (PCXX) are the most appropriate way to achieve the purpose of the RMA. This section outlines the reasons for and scope of PCXX.</td>
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<td>Section 9: Conclusion</td>
<td>This section concludes that PCXX is the most efficient, effective and appropriate means of addressing the resource management issues identified.</td>
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This section 32 evaluation report will continue to be refined and/or added to in response to any consultation feedback provided to the council, any new information received and as the plan change advances through the plan change process (e.g. the hearing report and decision are also part of the section 32 analysis).
Section 2.0 The Issue(s)

2.1 The issue(s)/problem definition

Four issues have been raised by different Council Departments in relation to "temporary activities".

The issues are:

1. Temporary activity standards in the Auckland Unitary Plan – some of the temporary activity standards are onerous and are triggering the need for costly and time-consuming resource consents (issue raised by ATEED)
2. Temporary activities, (including filming) on Sites of Significance to Mana Whenua and the appropriate management methods (issue raised by ATEED)
3. A gap in the coastal temporary activities and noise from activities that are not "noise events" (issue raised by Plans and Places)
4. Provision for temporary emergency works over and above that provided for under Emergency Works Section of the Resource Management Act (sections 330 – 330B) (issue raised by the Auckland Emergency Management team)

Temporary activities are defined in the Auckland Unitary Plan as "

An activity that:

- is outside the normal expected use of a site (or area within the coastal marine area);
- has a start and end date and time.

Includes:

- filming activities at temporary locations and activities accessory to that filming activity;
- activities accessory to a building or construction project, such as scaffolding, fencing, offices or storage sheds;
- Council HazMobile collections;
- carnivals;
- concerts;
- fairs;
- festivals and events;
- public meetings;
- parades;
- special events;
- sporting events;
- overflow parking;
- temporary military training (land based only);
- emergency response training, including live burns carried out by the New Zealand Fire Service; and
- structures accessory to temporary activities.

Excludes:

- markets;
• temporary military training activities within the coastal marine area;
• temporary structures within the coastal marine area; and
• temporary signs.

Temporary activities or events on public land require an event permit in addition to any planning requirements under the Trading & Events in Public Places (TEPP) Bylaw.

2.2 Background to the Issues

2.2.1 Temporary activity controls in the Auckland Unitary Plan

The Auckland Unitary Plan states that:
Temporary activities contribute to Auckland’s vibrancy and to the social, cultural and economic well-being of communities. Temporary activities also enable filming and training activities to be undertaken.
Temporary activities may restrict public access and have adverse effects on amenity values, communities and the natural environment. To manage these effects the Plan contains rules for temporary activities on land and in the coastal marine area, and the particular effects of various activities are managed through bylaws. Events on public land or water must also obtain an event licence or permit under the relevant bylaws. (E40.1)

Temporary activities or events on public land require an event permit in addition to any planning requirements under the Trading & Events in Public Places (TEPP) Bylaw 2015.

Auckland Council’s Event Facilitation, Arts Community and Events team have advised that the Unitary Plan’s Temporary Activity standards are triggering the need for a number of consents. This is doubling up, in their opinion, on the event permit process. They have asked if the standards in particular can be reviewed. Areas of concern are:

1. Pack-in and pack-out noise
2. Duration of a temporary activity
3. Noise limits
4. Traffic associated with temporary activities in rural and future urban zones
5. The definition of Anzac Day

The pack in and pack out and noise limits issues have been partly addressed through Plan Change 14: Improving consistency of provisions in Chapter D Overlays, Chapter E Auckland – wide, Chapter J Definitions, Appendix 2 and Appendix 17 of the Auckland Unitary Plan (Operative in part). This plan change excluded the time required to establish and remove all structures and activities associated with the noise event and to reinstate the site to its original condition prior to the noise event from the noise standards.

The duration of a temporary activity “noise event” is six hours. ATEED has requested that this be increased to 7-8 hours.

The requirement in rural and future urban zones for a resource consent for events generating more than 500 vehicle movements per day is also of concern to ATEED. ATEED advises that it currently has film productions with up to 500 crew operating in rural and future urban areas.
2.2.2 Temporary activities on Sites of Significance to Mana Whenua

Under the Unitary Plan, Sites and Places of Significance to Mana Whenua are managed by an overlay as described below:

D21. Sites and Places of Significance to Mana Whenua Overlay
D21.1. Background

The Sites and Places of Significance to Mana Whenua Overlay applies to sites and places that have been scheduled and protected for their significance to Mana Whenua. A schedule of the sites and places of significance is provided in Schedule 12 Sites and Places of Significance to Mana Whenua Schedule. Sensitive information regarding the significance of the sites and places to Mana Whenua may be subject to special protocols.

Sites and places of significance to Mana Whenua have tangible and intangible cultural values in association with historic events, occupation and cultural activities. Mana Whenua values are not necessarily associated with archaeology, particularly within the highly modified urban landscape where the tangible values may have been destroyed or significantly modified.

Mana Whenua are aware of many other sites and places that may be equally or more significant, and acknowledge that there may be shared interests over scheduled locations. It is intended to identify further sites and places nominated by Mana Whenua through future plan changes including those identified through other legislation.

Some sites and places of significance to Mana Whenua may also be scheduled as historic heritage. These sites and places are identified in Schedule 14 Historic Heritage Schedule, Statements and Maps.

Temporary activities, including filming are a restricted discretionary activity on any Site of Significance to Mana Whenua.

The matters of discretion for temporary activities are limited to:

(1) the effects of the proposal on the values and associations of Mana Whenua with the site or place, including effects on the context of the local history and whakapapa.
(2) the nature, location, design and extent of the proposal.
(3) the purpose and necessity for the works and any alternatives considered.
(4) the provisions of any relevant iwi planning document.

The assessment criteria are:

(1) Policies D21.3(1), D21.3(2) and D21.3(3).
(2) the extent to which the proposal:
   (a) provides for the relationship of the site or place with Mana Whenua in the context of local history and whakapapa, if appropriate, through:
   (i) the design and location of proposed structures;
   (ii) landscaping and vegetation including removal and replanting; and
   (iii) landform and modification.
(c) considers the appropriate location of temporary activities to avoid, remedy or mitigate adverse effects on values and associations of Mana Whenua with the site or place.

2.2.3 Coastal temporary activities and noise

The Plan and Places Department has identified a gap in the coastal temporary activity provisions.

In the noise chapter of the Auckland – wide provisions (E25: Noise and vibration), the coastal interface rule (E25.6.14) states that it does not apply to temporary activities but in the temporary activities (E40), the noise rules relate only to noise events. There was meant to be a noise standard in E40 – Temporary Activities, for temporary activities that generate noise but are not defined as a noise event – they should have to meet the usual noise limits. This “gap” could be addressed by either adding another noise standard in E40 or by amending the exclusion clause in E25 so that it excludes “noise events” but not other temporary activities.

2.2.4 Temporary emergency works

Sections 330 & 330A of the RMA address the undertaking of emergency works in response to an adverse effect on the environment or any sudden event causing or likely to cause loss of life, injury, or serious damage to property.

Section 330 Emergency works and power to take preventive or remedial action, states:

(1) Where—
   (a) any public work for which any person has financial responsibility; or
   (b) any natural and physical resource or area for which a local authority or consent authority has jurisdiction under this Act; or
   (c) any project or work or network utility operation for which any network utility operator is approved as a requiring authority under section 167; or
   (d) any service or system that any lifeline utility operates or provides—
   is, in the opinion of the person, authority, network utility operator, or lifeline utility, affected by or likely to be affected by—
   (a) an adverse effect on the environment which requires immediate preventive measures; or
   (e) an adverse effect on the environment which requires immediate remedial measures; or
   (f) any sudden event causing or likely to cause loss of life, injury, or serious damage to property—
   the provisions of sections 9, 12, 13, 14, and 15 shall not apply to any activity undertaken by or on behalf of that person, authority, network utility operator, or lifeline utility to remove the cause of, or mitigate any actual or likely adverse effect of, the emergency.
   (1A) Subsection (1) applies whether or not the adverse effect or sudden event was foreseeable.
   (2) Where a local authority or consent authority—
   (a) has financial responsibility for any public work; or
(b) has jurisdiction under this Act in respect of any natural and physical resource or area—
which is, in the reasonable opinion of that local authority or consent authority, likely to
be affected by any of the conditions described in paragraphs (d) to (f) of subsection
(1), the local authority or consent authority by its employees or agents may, without
prior notice, enter any place (including a dwellinghouse when accompanied by a
constable) and may take such action, or direct the occupier to take such action, as is
immediately necessary and sufficient to remove the cause of, or mitigate any actual
or likely adverse effect of, the emergency.

(2A) Sections 9, 12, 13, 14, and 15 do not apply to any action taken under subsection
(2).

(3) As soon as practicable after entering any place under this section, every person
must identify himself or herself and inform the occupier of the place of the entry and
the reasons for it.

(4) Nothing in this section shall authorise any person to do anything in relation to an
emergency involving a marine oil spill or suspected marine oil spill within the meaning

(5) In this section and section 330A, ‘lifeline utility’ means a lifeline utility within the
meaning of section 4 of the Civil Defence Emergency Management Act 2002 other
than a lifeline utility that is a network utility operator to which subsection (1)(c)
applies.

Where emergency works have been taken under S330 of the RMA, section 330A requires
retrospective resource consent(s) (where required) to be applied for as follows:

330A Resource consents for emergency works

(1) Where an activity is undertaken under section 330, the person (other than the
occupier), authority, network utility operator, or lifeline utility who or which undertook
the activity shall advise the appropriate consent authority, within 7 days, that the
activity has been undertaken.

(2) Where such an activity, but for section 330, contravenes any of sections 9, 12, 13,
14, and 15 and the adverse effects of the activity continue, then the person (other
than the occupier), authority, network utility operator, or lifeline utility who or which
undertook the activity shall apply in writing to the appropriate consent authority for
any necessary resource consents required in respect of the activity within 20 working
days of the notification under subsection (1).

(3) If the application is made within the time stated in subsection (2), the activity may
continue until the application for a resource consent and any appeals have been
finally determined.

The Auckland Emergency Management Response and recovery team has asked whether the
temporary activity provisions of the Unitary Plan can be amended so that retrospective
consent(s) are not required.

The above issues involve striking an appropriate balance between enabling temporary
activities to occur whilst appropriately managing adverse environment effects.
In addition, the issues involve determining what is the appropriate method of management & control – Unitary Plan provisions, resource consent process, existing use rights (for long held events) or event permit or a combination of some or all of these methods.

2.3 The scale and significance of these issues

2.3.1 Temporary activity activities in the Auckland Unitary Plan

The Auckland Unitary Plan provisions became operative in part on 15 November 2016. ATEED advise there are approximately 1600 – 1800 events annually. Not all these require an event permit.

In 2017 there were 1379 event permits issued while in 2018 there were 1438 event permits. (Note: these figures exclude events permitted by ATEED and RFA and in some cases, one permit may include multiple events.

According to resource consent data, 18 events required a resource consent in 2018 and 14 events in 2019. These figures do not show those events that did not take place due to applicants being dissuaded from applying having reviewed the resource consent requirements.

An analysis of resource consent processing cost for temporary activity consents for 2018 indicate that cost can range from $4500 - $10,000 with an average cost of just under $6000. These figures exclude the cost of putting the application together and advice from experts such as noise, traffic etc.

2.3.2 Temporary activities on Sites and Places of Significance to Mana Whenua

There are currently 75 sites and places of significance to Mana Whenua. Proposed Plan Change 22 (currently going through the plan change process) seeks to add an additional 30 sites and places (initially this was 31 sites but one site has been withdrawn from the Plan Change). All temporary activities are a restricted discretionary activity on sites and places of significance to Mana Whenua.

Sites and places of significance to Mana Whenua include Victoria Park, Albert Park and portions of Tamaki Drive and Queen Street – these are all popular locations for events and temporary activities.
These sites and places are extremely important to Mana Whenua. Often a site or place is of significance to more than one iwi as a result of overlapping rohe. The sites and places may have different values to different iwi. In addition, there are potentially different effects associated with different temporary activities e.g. a graduation parade down Queen Street v filming on a maunga.

Only a small number of sites have been identified. There is ongoing work to assess and add to the sites and places of significance to Mana Whenua.

The Trading and Events in Public Places Bylaw (2015) does not contain any requirement to consult with iwi, nor does the “criteria” for deciding on applications (section 10) specifically refer to effects on sites and places of significance to Mana Whenua. It does refer more generally to the “impacts on the surrounding environment”.

ATEED advise that film permits typically take 3-5 working days to obtain from Screen Auckland. Obtaining a resource consent for filming purposes is not possible within this timeframe and would have an adverse effect on the industry.

2.3.3 Coastal temporary activities and noise

Many temporary activities occur in the coastal marine area. For example large scale swimming events, triathlons, waka ama. Many of these are not defined as “noise events”.

A noise event is defined in the Auckland Unitary Plan as: “An event that exceeds the general noise controls for a site or area within the coastal marine area (CMA) either in level or duration”.

It is appropriate that temporary activities in the CMA do have a noise control at the coastal interface. This will assist in managing the effects of activities of temporary activities on amenity values.

2.3.4 Temporary emergency works

Emergency works typically are required in response to events that have a potential effect of low probably (e.g. a natural disaster) which has a high potential impact.

Natural hazards
- frequently, such as flooding, coastal erosion (including the effects of sea-level rise), freshwater erosion and land instability; and.
- less frequently, such as wildfires, volcanic activity, tsunami, earthquakes and meteorological hazards such as cyclones, tornadoes and drought

Recent examples in the Auckland region include tornadoes (1991, 2011, 2012) and flooding.

(Flooding in the Auckland suburb of Kohimarama – Jan 2018)

On the National scale – Christchurch earthquakes (2011), Kaikoura earthquake (2016), Wainee valley wildfire (2019) southern South Island flooding (2020) are examples of natural events where an emergency response has been required.

Auckland Council manages natural hazards by:

- identifying hazard zones on planning maps
- asking for site evaluations and engineering work to assess and reduce risk in areas of identified land instability or areas prone to flooding by stormwater or sea
- controlling activities in areas likely to experience these hazards
- limiting or prohibiting structures in areas of known risk
- requiring more intensive engineering design where necessary.

The management response for specific natural hazards is highly dependent on the nature, location and effects of the particular hazard, and the community in which the hazard is located.

Some risks from events with low probability but high potential impact (e.g. volcanic activity, tsunamis and earthquakes) cannot be addressed through land use planning and may be better addressed through measures put in place by emergency management groups such as Civil Defence and Emergency Management.

These measures include education, warning systems and emergency preparedness.
As a result of climate change there is likely to be a greater frequency and intensity of climatic events.

Section 3.0 Objective(s)

The Auckland Unitary Plan objectives for temporary activities are:

**E40. Temporary activities**

**E40.2. Objectives [rcp/dp]**

1. Temporary activities and events contribute to a vibrant city and enhance the social, environmental, economic and cultural well-being of communities.
2. Temporary activities are located and managed to mitigate adverse effects on amenity values, communities and the natural environment.
3. Temporary activities are managed to minimise any adverse effects on the use and enjoyment of open space.
4. Temporary activities involving large numbers of people predominantly occur in the Business – City Centre Zone, the Business – Metropolitan Centre Zone and the Auckland Domain.
5. Temporary activities for training purposes are undertaken in appropriate locations so that amenity values are maintained and any adverse effects are avoided, remedied or mitigated.

The Auckland Unitary plan objectives for Sites of Significance to Mana Whenua are:

**D21. Sites and Places of Significance to Mana Whenua Overlay**

**D21.2. Objective [rcp/dp]**

1. The tangible and intangible values of scheduled sites and places of significance to Mana Whenua are protected and enhanced.
2. Scheduled sites and places of significance to Mana Whenua are protected from inappropriate subdivision, use and development, including inappropriate modification, demolition or destruction.

This section 32 report involves analysing the most appropriate method(s) to give effect to the above Unitary Plan objectives, having regard to the requirements of the RMA and the National and Regional Planning context (i.e. National Policy Statements, other Acts, Maori Plan 2017, Auckland Plan 2018, Auckland Unitary Plan 2016).

The objectives of this evaluation are therefore to:

1. To ensure the Unitary Plan’s management of temporary activities (in particular – events and filming) strikes an appropriate balance between enabling temporary activities to occur whilst avoiding or mitigating adverse environmental effects.
2. To ensure the tools used to manage temporary activities result in an efficient process and avoid any unnecessary duplication between for example the Event Permit requirements, Film Auckland Protocols and the methods in the Unitary Plan.
3. To investigate the most appropriate method to manage temporary activities on sites of Significance to Mana Whenua (i.e. Unitary Plan v resource consent vs event permit)
4. To address a gap in the coastal temporary activity provisions.
5. To enable appropriate responses to temporary emergency events.

Section 4.0 Background

4.1 The Auckland Unitary Plan

The Unitary Plan became operative in part 1 on 15 November 2016.

The temporary activities provisions sit under the ‘Auckland Wide: General’ section of the Unitary Plan in Section E40, and apply region wide across all zones. Overlays and precincts take precedence over the Auckland-wide provisions, in accordance with Rule G.2.1 (unless otherwise stated), while other Auckland-wide and zone provisions are intended to apply alongside these provisions.

The objectives and policies for temporary activities relate to providing for a wide range of temporary activities, avoiding adverse effects, disturbance to public open space qualities, appropriate locations and military training activities.

4.1.1 The Proposed Auckland Unitary Plan (PAUP)

A total of 59 submitters made 110 submission points on the temporary activity’s provisions and the associated definition.

The submissions raised matters under the following broad themes:

a) Interaction with other provisions
b) Duration and frequency of temporary activities
c) Temporary activities on private land
d) Military training activities
e) Temporary activities definition
f) Other amendments.

The key recommendations/changes made by the Independent Hearings Panel for changes to the proposed Temporary activities provisions were:

i. The objectives and policies as amended are appropriate for the purpose of enabling temporary activities Auckland-wide.

ii. Clarification of the relationship between the proposed Auckland Unitary Plan provisions and bylaws dealing with trading and events in public places.

iii. Endorsement of the Council’s policy shift providing for temporary activities on private land on the same basis as similar activities in public places.

iv. Amendments to the activity table and standards to better enable events, filming and other temporary activities in public places and on private land. This includes deletion of the rule setting trip-generation thresholds for filming in residential zones inserted at mediation.

v. Amendments to better enable temporary military training activities in recognition of the importance of defence to public safety.

1 There were 108 appeals to either the High Court or Environment Court at this point in time.
vi. Amendments to improve the relationship between these provisions and the management of the effects of temporary activities in the coastal marine area.

The Council accepted the recommendations of the Independent Hearings Panel and issued its decision. There were no appeals by submitters in respect of the Council’s decisions on the temporary activity provisions.

4.2 Auckland Unitary Plan – Evidence on Sites of Significance to Mana Whenua

4.2.1 Chloe Trenouth’s Evidence (on behalf of Auckland Council)

The key points in the relevant evidence on the topic of temporary activities and Sites and Places of Significance to Mana Whenua is:

- Only 61 SSMW are identified in the PAUP reflecting 46 legacy sites and 15 additional sites nominated through feedback to the March 2013 Draft Auckland Unitary Plan.
- These sites are identified as significant and the policy approach seeks to avoid significant adverse effects on the values and associations of Mana Whenua with these sites.
- Protection for SSMW is achieved through the notified rules by requiring resource consent for most activities as a discretionary activity on or within 50m of a SSMW, with exceptions provided for minor activities as permitted.
- The notified provisions identified temporary activities that include toilets, changing rooms or land disturbance on SSMW as a restricted discretionary activity. The intention of the provisions is to provide for a lesser activity status for those temporary activities on SSMW where the effects relate to intangible effects because the landscape is either highly modified or no archaeology exists.
- Temporary activities are primarily managed by Auckland-wide provisions across all zones in Chapter H6.5. Generally activities are permitted or restricted discretionary subject to specified time periods, traffic and noise controls. The SSMW overlay overrides the Auckland-wide provisions.
- IMSB raised concern at the mediation that effects on values by temporary activities other than toilets also needed to be considered, including for example food preparation and eating. IMSB was of the view that the temporary activity rule relates to all aspects of a temporary activity and not just those that include toilets and changing rooms.
- In my opinion the intention of the notified temporary activity rule was clearly to manage only those temporary activities that include toilets and changing rooms. Temporary activities on all other SSMW were not specifically identified because the intention was that these would be picked up under the activities relating to buildings and earthworks, effectively being a discretionary activity.
- I have considered the issues raised and I propose changes to apply the temporary activity rule to all sites, not just site exceptions, to provide greater clarity. I consider a restricted discretionary status for temporary activities that include toilets and changing rooms to be appropriate because it is consistent with the overall approach to temporary activities in the Auckland-wide provisions. As a restricted discretionary

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activity, the CIA process will be required, providing the opportunity for Mana Whenua to recommend conditions to manage the cultural impacts of locating toilets and changing rooms on SSMW.

- Given that temporary activities generally occur on public land, I consider it appropriate for the broader concerns of IMSB to be addressed through management plans and agreements with the relevant Council Department or Council Controlled Organisation to enable site specific responses.

- In my opinion a resource consent process is not the most efficient and effective way of addressing the effects on Mana Whenua values for temporary activities that are often permitted by the Auckland-wide provisions and by their nature have temporary effects. This in my view is consistent with RPS B5.4 Policy 4, which requires the temporary nature of the adverse effect to be taken into account.

4.2.2 Phillip Mitchell’s Evidence (On behalf of the IMSB)

The relevant evidence on the topic of temporary activities and Sites and Places of Significance to Mana Whenua is:

- I support most of the SSMW provisions contained in Council’s strikethrough version. However, there are some provisions on which I disagree, and which I consider require amendment. They include:
  (b) The deletion of the rule which requires resource consent for a change of activities within a SSMW, and the breadth of activities captured by the Temporary Activities rule.

- With respect to the notified Temporary Activity rule, Ms Trenouth has deleted it, and replaced it with two rules, one addressing land disturbance (in the earthworks chapter) and the following rule addressing the Temporary Activity itself, in the SSMW chapter:

| Temporary activities where the activity involves toilets (including portaloos) or changing facilities | RD |

- It is apparent that there are numerous Temporary Activities that could have significant adverse effects on the values and associations of Mana Whenua with SSMW. Only managing toilets and changing facilities (as Ms Trenouth’s rule does) is going to be of limited effectiveness in protecting the values and associations of Mana Whenua with SSMW from significant adverse effects.

- In my view what is needed is for the owner / occupier of land within a SSMW to put together a set of protocols / conditions in consultation with Mana Whenua, for how temporary activities should be undertaken in those areas (identifying areas where cooked food will not be taken, toilets will not be placed, acceptable signage etc.). The question is to what extent rules in the PAUP need to require a resource consent to ensure that process happens.
I consider that the simplest way is to have restricted discretionary activity status for all Temporary Activities on SSMW, with discretion restricted to effects on the values and associations of Māna Whenua with the SSMW.

4.3 The Event Permit Process

There are processes operating outside of the Unitary Plan to control events occurring in public places. All events on public land require permission from Council through an event permit process under the Trading & Events in Public Places (TEPP) Bylaw (2015). Under the TEPP Bylaw an 'event' means an organised temporary activity that takes place on one or more days that is outside the normal expected use of a site and includes an organised gathering, parade, protest, wedding, private function (which is independent of premises), festival, concert, celebration, multi venue sports event of a significance scale, fun run, marathon, duathlon or triathlon.

Depending on the nature of the event proposal, relevant stakeholders will need to provide their approval. Commonly, approval is required from:

- Council’s Parks, Sport & Recreation Department – for events on a park, reserve
- Council’s Environmental Health Department - for events that include amplified sound; food stalls
- Auckland Council District Licensing Authority – for events that are selling/supplying alcohol and/or are in a liquor ban area, a special liquor licence is required.
- Auckland Transport – for events on roads or streets or events that will impact the normal traffic/pedestrian flow. Where there are road closures and/or parking restrictions, organisers are required to provide a traffic management plan that will send to Auckland Transport for approval.
- Council’s Bylaws and compliance – event signage
- Council’s Solid Waste Department – for events that require a waste management plan
- Building consent from Council’s Resource Consent Department – for events that require consent for a temporary structure
- Health and Safety – Health and safety plans for large events require approval from an internal H&S advisor.

Each stakeholder will comment on the section of the event that relates to their area and/or provide approval. Specific conditions, such as noise levels, times and duration can be included as part of the approval. Once all approvals are received, the facilitator will create a document entitled event advice. This document includes agreed details for the event and an event permit. Any conditions from stakeholders are included in the event advice and/or permit.

Note: the Trading and Events in Public Places Bylaw does not specifically reference engagement or consultation with iwi, but ATEED states that this does occur.
4.4 Film Auckland Protocol

This was adopted by Auckland Council’s Environment and Community Committee on 10 September 2019.

The Auckland Film Protocol sets out:

- Council’s commitment to enabling film in Auckland and expectations of how filmmakers will operate/behave when filming in the region;
- information for filmmakers about the policies, plans and rules that apply when filming in public open spaces across Auckland;
- an overview of the process of applying for a permit to film in public open spaces – a process that is administered by Council’s regional film office, Screen Auckland.

Relevant sections of the protocol include:

3.2 Compliance with relevant plans, policies, bylaws, and rules Production companies must comply with Auckland Council plans, policies, bylaws, and rules in relation to conduct in public open space. These include, but are not limited to, alcohol bans, animal control, vehicles on beaches, signage rules and smokefree areas. Maintaining responsible and positive behaviour when filming in public open space is important to ensure ongoing access to these locations. Production companies planning to use signage, including directional signage such as location arrows, should also make themselves aware of the Signage Bylaw in place throughout the region, and any relevant Unitary Plan rules relating to signage. Up-to-date information concerning council plans, policies and bylaws can be found on Auckland Council’s website 11 and on the Auckland Transport website 12, or Screen Auckland can advise.

4.3.1 Filming on Auckland’s tūpuna maunga (volcanic cones)

In July 2014, Government passed legislation to provide Treaty of Waitangi redress for the shared interests of 13 Auckland iwi and hapū in relation to 14 tūpuna maunga (ancestral mountains, also referred to as Auckland’s volcanic cones), motu (islands) and land within Tamaki Makaurau (Auckland). Auckland’s volcanic cones (tūpuna maunga) come under the administration of the Tūpuna Maunga Authority a Tamaki Makaurau Authority (Tūpuna Maunga Authority). The Authority is independent of Auckland Council.

Under the terms of the settlement, the tūpuna maunga are vested in mana whenua, public access is maintained, each maunga will remain a reserve, and the council will continue to be responsible for the routine management of the maunga, under the direction of the Tūpuna Maunga Authority. The tūpuna maunga sites, and in particular the tīhi (summit), are considered tapu (sacred) and regard is given to this when considering applications to film on the tūpuna maunga. All commercial filming on the maunga requires the approval of the Tūpuna Maunga Authority. Screen Auckland facilitates all requests for approval to film on the tūpuna maunga. Each application is assessed on a case-by-case basis in relation to the objectives and policies that apply to the tūpuna maunga 18 and proposed content. Approval to film will be subject to conditions and restrictions set by the Tūpuna Maunga Authority.
4.7 Heritage considerations

Historic heritage reinforces our sense of history, belonging, identity and place. Historic heritage places are likely to have specific restrictions on their use that may impact on timeframes and costs. This will be pointed out by Screen Auckland’s film facilitation team at the point of initial inquiry, and assistance will be given to mitigate effects or locate an alternative site if necessary. Historic heritage places can include historic buildings, archaeological sites, places of significance to Māori and notable trees. Some historic heritage places are protected by legislation. Some historic heritage places are protected in the Auckland Unitary Plan. Depending on the nature of the proposal, resource consent may be required for filming on sites protected in the Auckland Unitary Plan. An Authority from Heritage New Zealand may be required for proposals that take place on archaeological sites. Information on places protected in the Auckland Unitary Plan can be found on the Auckland Council website. The types of issues for filmmakers to consider in relation to sites that are significant to Māori include, but are not necessarily limited to:

- the use of indigenous knowledge and any reference to iwi;
- misuse or misappropriation of iwi history, stories or legends;
- inappropriate representation or use of culturally significant images or sites; this can include, but is not limited to, the subject of filming or the depiction of the site (e.g. digitally adapting the appearance of a site in a way that is considered inappropriate);
- use of culturally significant sites including maunga, marae and places included in the Sites and Places of Significance to Mana Whenua schedule in the Auckland Unitary Plan.

4.8 Resource consent considerations

Due to the often temporary nature of filming, a resource consent is not usually required to carry out filming within Auckland. However, filming projects involving the long-term use of the same site are much more likely to require a resource consent. Resource consent criteria are currently determined by the Auckland Unitary Plan and the Hauraki Gulf Islands District Plan. Go to the Auckland Council website to view the Auckland Unitary Plan and the Hauraki Gulf Islands District Plan maps and other information. Screen Auckland’s film facilitation team can assist with providing contact details for planning staff who have experience working with the screen production industry.

4.8.3 Possible triggers for resource consents

The following site-related issues are likely to trigger the need for a resource consent:

- excessive lighting;
- excessive noise;
- excessive earthworks;
- removal of protected vegetation;
- close proximity to the coast or other waterbodies;
• close proximity to residential zones;
• inadequate carparking capacity;
• absence of a loading bay;
• the amount of traffic generated;
• heritage related issues;
• hours of operation;
• exceeding the days for a temporary activity or other standards that apply to permitted activities.

Section 5.0 Statutory Evaluation Under the Resource Management Act 1991 (RMA)

5.1 Overall broad judgement against Part 2 of RMA

The potential options to address the issues raised are assessed against the relevant provisions of the Resource Management Act 1991.

Section 5 of the RMA describes the purpose of the Act. This is:

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—
(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Temporary activities assist people and communities to meet their social, economic and cultural well-being. Temporary activities may also be undertaken to enhance the environment e.g. beach clean-ups, stream restoration. At the same time, it is recognised there are adverse effects associated with some temporary activities e.g. noise associated with concerts.

7 Other matters
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 have particular regard to—
(a) kaitiakitanga:
(aa) the ethic of stewardship;
(b) the efficient use and development of natural and physical resources:
(ba) the efficiency of the end use of energy:
(c) the maintenance and enhancement of amenity values:
(d) intrinsic values of ecosystems:
(e) [Repealed]
(f) maintenance and enhancement of the quality of the environment:
(g) any finite characteristics of natural and physical resources:
(h) the protection of the habitat of trout and salmon:
(i) the effects of climate change:
(j) the benefits to be derived from the use and development of renewable energy.

Temporary activities require management in order to achieve Kaitiakitanga (guardianship or management of the environment), the ethic of stewardship (responsible planning and management of resources – air, land and water), the efficient use and development of natural and physical resources (in this case land and water in particular), the maintenance and enhancement of amenity values (temporary activities both enhance amenity values and have to potential to give rise to adverse environmental effects), and the maintenance and enhancement of the quality of the environment (adverse effects associated with temporary activities).

8 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).

The Treaty principles\(^2\) include the following:

Partnership - the Treaty signified a partnership between the races’ and each partner had to act towards the other ‘with the utmost good faith which is the characteristic obligation of partnership’. The obligations of partnership included the duty to consult Māori and to obtain the full, free, and informed consent of the correct right holders in any transaction for their land.

Reciprocity - the partnership is a reciprocal one, involving fundamental exchanges for mutual advantage and benefits. Māori ceded to the Crown the Kāwanatanga (governance) of the country in return for a guarantee that their tino rangatiratanga (full authority) over their land, people, and taonga would be protected. Māori also ceded the right of pre-emption over their lands on the basis that this would be exercised in a protective manner and in their own interests, so that the settlement of the country could proceed in a fair and mutually advantageous manner.

Active protection - the Crown’s duty to protect Māori rights and interests arises from the plain meaning of the Treaty; the promises that were made at the time (and since) to secure the Treaty’s acceptance, and the principles of partnership and reciprocity. The duty is, in the view of the Court of Appeal, ‘not merely passive but extends to active

\(^2\) Waitangi Tribunal website, justice.govt.nz
protection of Māori people in the use of their lands and waters to the fullest extent practicable', and the Crown's responsibilities are 'analogous to fiduciary duties'. Active protection requires honourable conduct by, and fair processes from, the Crown, and full consultation with – and, where appropriate, decision-making by – those whose interests are to be protected.

Equity - The obligations arising from kawanatanga, partnership, reciprocity, and active protection required the Crown to act fairly to both settlers and Māori – the interests of settlers could not be prioritised to the disadvantage of Māori. Where Māori have been disadvantaged, the principle of equity – in conjunction with the principles of active protection and redress – requires that active measures be taken to restore the balance.

Equal treatment - The principles of partnership, reciprocity, autonomy, and active protection required the Crown to act fairly as between Māori groups – it could not unfairly advantage one group over another if their circumstances, rights, and interests were broadly the same.

The implications of section 8 of the RMA for temporary activities can be summarised as:

- active protection of Māori people in the use of their lands and waters to the fullest extent practicable
- early engagement with āti to test possible options, especially the issue of temporary activities and their effects on sites and places of significance to Mana Whenua.

5.2 The relevance of the plan change to other sections of the RMA

There are relevant sections of the RMA that must be considered in context of the proposed plan change. These are:

- Section 30 – Functions of regional councils under this Act
- Section 31 – Functions of territorial authorities under this Act
- Section 60 – Preparation and change of regional policy statements
- Section 61 – Matters to be considered by regional council (policy statements)
- Section 62 – Contents of regional policy statements
- Section 63 – Purpose of regional plans
- Section 65 – Preparation and change of other regional plans
- Section 66 – Matters to be considered by regional councils (plans)
- Section 67 – Contents of regional plans
- Section 68 – Regional rules
- Section 72 – Purpose of district plans
- Section 73 – Preparation and change of district plans
- Section 74 – Matters to be considered by territorial authority
- Section 75 – Contents of district plans
- Section 76 – District rules
- Section 79 – Review of policy statements and plans
- Section 80 – Combined regional and district documents

Relevance to the above sections
Sections 30 and 31 of the RMA specify the functions of regional and territorial authorities, and the PAUP, as a combined plan, performs both of these functions. The temporary activity

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provisions relate only to district plan functions, although the proposed changes in landuse will affect the functioning of regional plan provisions which give effect to section 30(1) functions.

Specifically, these functions include:
(a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region;
(b) In respect of any coastal marine area in the region, the control (in conjunction with the Minister of Conservation) of land and associated natural and physical resources;
(c) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district; and
(d) The control of any actual or potential effects of the use, development, or protection of land.

Section 80 of the RMA sets out the approach to which local authorities may prepare, implement, and administer the combined regional and district documents. Auckland Council has a combined regional and district plan called the Auckland Unitary Plan (AUP).

Section 6.0 National and Regional Planning Context

6.1 Relevance to National Policy Statements

6.1.1 New Zealand Coastal Policy Statement 2010

The relevant sections of the New Zealand Coastal Policy Statement 2010 for temporary activities are:

Objective 1

To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:

- maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;
- protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand’s indigenous coastal flora and fauna; and
- maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.

Objective 6

To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:

- the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;
some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;
functionally some uses and developments can only be located on the coast or in the coastal marine area;
the coastal environment contains renewable energy resources of significant value;
the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;
the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;
the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and
historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.

Temporary activities therefore need to safeguard or protect the values of the coastal environment.

6.2 Relevance to any particular Acts

6.2.1 Hauraki Gulf Marine Park Act 2000

The relevant sections of the Hauraki Gulf Marine Park Act 2000 for temporary activities are:

3 Purpose

The purpose of this Act is to—
(a) integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments;
(b) establish the Hauraki Gulf Marine Park;
(c) establish objectives for the management of the Hauraki Gulf, its islands, and catchments;
(d) recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands;
(e) establish the Hauraki Gulf Forum.

32 Purposes of Hauraki Gulf Marine Park

The purposes of the Hauraki Gulf Marine Park are—
(a) to recognise and protect in perpetuity the international and national significance of the land and the natural and historic resources within the Park:
(b) to protect in perpetuity and for the benefit, use, and enjoyment of the people and communities of the Gulf and New Zealand, the natural and historic resources of the Park including scenery, ecological systems, or natural features that are so beautiful, unique, or scientifically important to be of national significance, for their intrinsic worth:
(c) to recognise and have particular regard to the historic, traditional, cultural, and spiritual relationship of tangata whenua with the Hauraki Gulf, its islands and coastal areas, and the natural and historic resources of the Park:
(d) to sustain the life-supporting capacity of the soil, air, water, and ecosystems of the Gulf in the Park.
Temporary activities therefore need to recognise and protect the land and natural and historic resources associated with the Hauraki Gulf Marine Park. This includes the relationship of tangata whenua with the Hauraki Gulf, its islands and coastal areas, and the natural and historic resources of the Park.

6.2.2 Waitakere Ranges Heritage Area Act 2008

The relevant sections of the Waitakere Ranges Heritage Area Act 2008 for temporary activities are:

3 Purpose
(1) The purpose of this Act is to—
(a) recognise the national, regional, and local significance of the Waitakere Ranges heritage area; and
(b) promote the protection and enhancement of its heritage features for present and future generations.

8 Heritage area objectives
The objectives of establishing and maintaining the heritage area are—
(a) to protect, restore, and enhance the area and its heritage features;
(b) to ensure that impacts on the area as a whole are considered when decisions are made affecting any part of it;
(c) to adopt the following approach when considering decisions that threaten serious or irreversible damage to a heritage feature:
(i) carefully consider the risks and uncertainties associated with any particular course of action; and
(ii) take into account the best information available; and
(iii) endeavour to protect the heritage feature;
(d) to recognise and avoid adverse potential, or adverse cumulative, effects of activities on the area’s environment (including its amenity) or its heritage features;
(e) to recognise that, in protecting the heritage features, the area has little capacity to absorb further subdivision;
(f) to ensure that any subdivision or development in the area, of itself or in respect of its cumulative effect,—
(i) is of an appropriate character, scale, and intensity; and
(ii) does not adversely affect the heritage features; and
(iii) does not contribute to urban sprawl;
(g) to maintain the quality and diversity of landscapes in the area by—
(i) protecting landscapes of local, regional, or national significance; and
(ii) restoring and enhancing degraded landscapes; and
(iii) managing change within a landscape in an integrated way, including managing change in a rural landscape to retain a rural character;
(h) to manage aquatic and terrestrial ecosystems in the area to protect and enhance indigenous habitat values, landscape values, and amenity values;
(i) to recognise that people live and work in the area in distinct communities, and to enable those people to provide for their social, economic, environmental, and cultural well-being:
(j) to provide for future uses of rural land in order to retain a rural character in the area;
(k) to protect those features of the area that relate to its water catchment and supply functions;
(l) to protect in perpetuity the natural and historic resources of the Waitakere Ranges Regional Park for their intrinsic worth and for the benefit, use, and enjoyment of the people and communities of the Auckland region and New Zealand.

11 District plans

(1) When preparing or reviewing a district plan that affects the heritage area, the Council must give effect to the purpose of this Act and the objectives.
(2) The requirements in subsection (1) are in addition to the requirements in sections 74, 75, and 79 of the Resource Management Act 1991.
(3) When evaluating a proposed district plan, change, or variation that affects the heritage area, the Council must examine whether the plan, change, or variation is the most appropriate way to achieve the objectives (having regard to the purpose of this Act).
(4) The requirements in subsection (3) are in addition to the requirements in section 32(3) of the Resource Management Act 1991.

Temporary activities therefore need to be undertaken in a manner that protects the Waitakere Ranges Heritage Area’s environment and its heritage features and avoids adverse potential or cumulative effects of activities.

6.3 Relevance to any Particular Plans

6.3.1 Maori Plan 2017

The Maori Plan for Tamaki Makaurau was prepared by the Independent Maori Statutory Board (IMSMB). It records what Maori in the region have said is important to them and provides a framework for understanding Maori development aspirations and monitoring progress towards desired cultural, economic, environmental and social outcomes.

Issues of Significance that are relevant to the consideration of temporary activities are:

<table>
<thead>
<tr>
<th>Wellbeing Area</th>
<th>Issues of Significance</th>
<th>Commentary on the Relevance to the Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environment</td>
<td>Sites of Significance – Mana Whenua are enabled to maintain and protect sites of significance to reaffirm connections to the whenua and preserve for future generations.</td>
<td>There are some Temporary Activities that could have significant adverse effects on the values and associations of Mana Whenua with SSMW if not properly managed.</td>
</tr>
<tr>
<td></td>
<td>Customary Rights – hapu and whenau are empowered to exercise a range of customary rights by a Council that understands, respects and genuinely considers the customary rights of hapu and whenau.</td>
<td>Some temporary activities could impact on the ability for hapu and whenau to exercise their customary rights</td>
</tr>
<tr>
<td></td>
<td>Environmental Resilience, Protection and Management – Maori are empowered and</td>
<td>There are some Temporary Activities that could have significant adverse effects on the values and</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Item 11</th>
<th>Auckland Unitary Plan (Operative in Part) – Proposed Plan Change – Temporary Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Planning Committee</strong></td>
<td>03 September 2020</td>
</tr>
<tr>
<td><strong>Attachment B</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Auckland Unitary Plan (Operative in Part)</strong></td>
<td><strong>–</strong> <strong>Proposed Plan Change</strong></td>
</tr>
<tr>
<td><strong>treasured in their customary role as kaitiaki over lands, cultural landscapes, sites of significance and wahi tapu</strong></td>
<td><strong>associations of Mana Whenua with SSMW if not properly managed.</strong></td>
</tr>
<tr>
<td><strong>Resource Consents – Māori actively and meaningfully contribute to the resource consent decision making process that is simple, efficient and value for money.</strong></td>
<td><strong>Requiring a resource consent for temporary activities on SSMW provide wai with an opportunity to be involved in the decision making process.</strong> <strong>Note: the Trading and Events in Public Places Bylaw does not specifically refer to engagement with iwi and conditions to address adverse effects on SSMW but it is understood this occurs.</strong></td>
</tr>
<tr>
<td><strong>Built Environment - Māori cultural values, history and heritage are reflected within the built environment through design, architecture and the inclusion of uniquely Māori design principles in public spaces.</strong></td>
<td><strong>There are some Temporary Activities that could have significant adverse effects on the values and associations of Mana Whenua with SSMW if not properly managed.</strong></td>
</tr>
<tr>
<td><strong>Social</strong></td>
<td><strong>Requiring a resource consent for temporary activities on SSMW provide wai with an opportunity to be involved in the decision making process.</strong> <strong>Note: the Trading and Events in Public Places Bylaw does not specifically refer to engagement with iwi and conditions to address adverse effects on SSMW</strong></td>
</tr>
<tr>
<td><strong>Engagement/Consultation/Inclusion in Decision making – Māori are empowered to actively and meaningfully contribute to the development of Auckland, through consultation and inclusion in decision-making processes and future plans.</strong></td>
<td><strong>Economic</strong> <strong>Treaty Settlements – Council recognises the importance and value of Treaty Settlements and is proactive in engaging with wai to understand Council’s role in fulfilling the objectives of Treaty Settlements.</strong></td>
</tr>
<tr>
<td><strong>Commercial</strong></td>
<td><strong>Requiring a resource consent for temporary activities on SSMW provide wai with an opportunity to be involved in the decision making process.</strong> <strong>Note: the Trading and Events in Public Places Bylaw does not specifically refer to engagement with iwi and conditions to address adverse effects on SSMW</strong></td>
</tr>
<tr>
<td><strong>Tourism – Māori are actively supported to participate in tourism opportunities and recognised for the unique value-add to the Auckland tourism sector.</strong></td>
<td><strong>The temporary activity provisions of the Unitary Plan may also apply to Māori related events and tourism opportunities e.g. waka ama, cultural events.</strong></td>
</tr>
<tr>
<td><strong>Cultural</strong> <strong>Arts &amp; Culture – Māori are enabled to continue to practice our unique cultural heritage, to ensure the retention and protection of matuaunga Māori across Tamaki Makaurau</strong></td>
<td><strong>The temporary activity provisions of the Unitary Plan may also apply to Māori related events and tourist opportunities e.g. waka ama, cultural events.</strong></td>
</tr>
<tr>
<td><strong>Distinctive Identity – Māori retain a sense of place and identity, and the wider community understands the value of diversity and embraces our unique culture</strong></td>
<td><strong>There are some Temporary Activities that could have significant adverse effects on the values and associations of Mana Whenua with SSMW if not properly managed.</strong></td>
</tr>
</tbody>
</table>
6.3.2 Auckland Plan 2018

The table below lists the priorities and directives of the Auckland Plan (Auckland’s non-statutory spatial planning document). The Auckland Plan refresh was approved by Auckland Council on 5 June 2018.

<table>
<thead>
<tr>
<th>Outcome: Belonging and Participation</th>
<th>Directives and Focus Areas</th>
<th>Commentary on the Relevance to the Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Direction 1: Foster an inclusive Auckland where everyone belongs.</td>
<td>Temporary activities – in particular events and festivals can create a sense of belonging and enable people and communities to come together. They add to the quality of life.</td>
</tr>
<tr>
<td></td>
<td>Focus area 1: Create safe opportunities for people to meet, connect, participate in, and enjoy community and civic life.</td>
<td></td>
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<tr>
<td></td>
<td>Focus area 5: Recognise, value and celebrate Aucklanders’ differences as a strength.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Focus area 7: Recognise the value of arts, culture, sport and recreation to the quality of life.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Outcome: Māori identity and well-being</th>
<th>Directives and Focus Areas</th>
<th>Commentary on the Relevance to the Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Direction 1: Advance Māori wellbeing.</td>
<td>There are two considerations:</td>
</tr>
<tr>
<td></td>
<td>Direction 2: Promote Māori success, innovation and enterprise.</td>
<td>i) Temporary activities enable events that celebrate Māori culture.</td>
</tr>
<tr>
<td></td>
<td>Direction 4: Showcase Auckland’s Māori identity and vibrant Māori culture.</td>
<td>The Auckland Plan states: “Auckland will continue to provide, invest in and support opportunities that celebrate Māori identity and heritage.</td>
</tr>
<tr>
<td></td>
<td>Focus area 6: Celebrate Māori culture and support te reo Māori to flourish</td>
<td>Continued expansion and resourcing is needed for events, and activities associated with Māori events, such as Matariki. Celebrations steeped in Māori culture can ignite all cultures in Auckland to celebrate their relationship with the land”.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ii) There are some Temporary Activities that</td>
</tr>
</tbody>
</table>
Table 6: Auckland Plan Directives and Focus Areas

6.3.3 Auckland Unitary Plan 2016 - Regional Policy Statement

Table 7 below identifies the relevant Auckland Unitary Plan Regional Policy Statement objectives and policies relating to urban growth, the built environment and open space and recreation and assesses the relevance of these to temporary activities.

<table>
<thead>
<tr>
<th>RPS Chapter</th>
<th>Relevant objective or policy</th>
<th>Commentary on the Relevance to the issues</th>
</tr>
</thead>
</table>
| B2.2. Urban growth and form | **B2.2.1. Objectives**  
(1) A quality compact urban form that enables all of the following:  
(a) a higher-quality urban environment;  
(b) better use of existing infrastructure and efficient provision of new infrastructure;  
(c) greater social and cultural vitality; | Temporary activities enable "greater social and cultural vitality". |
<table>
<thead>
<tr>
<th>B2.7 Open space and recreation facilities</th>
<th>B2.7.1(1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(g) reduced adverse environmental effects.</td>
<td>Temporary activities cater for some of the recreational needs of people and communities.</td>
</tr>
</tbody>
</table>

| B2.7.2(1) |
| Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions. |
| An "enabling" approach to temporary activities provides for a variety of activities and experiences on open space in particular. |

| E40. Temporary activities |
| E40.2. Objectives [tcp/qp] |
| (1) Temporary activities and events contribute to a vibrant city and enhance the social, environmental, economic and cultural well-being of communities. |
| An "enabling" approach to temporary activities contributes to a vibrant city and enhance the social, environmental, economic and cultural well-being of communities. |

| E40.3. Policies |
| (1) Enable temporary activities and associated structures, provided any adverse affects are located and managed to mitigate adverse effects on amenity values, communities and the natural environment. |
| The existing temporary activity standards distinguish between the city centre & metro centres and "other areas". They are more enabling in the city centre and metro centres. |

| E40.3. Policies |
| (2) Temporary activities are managed to minimise any adverse effects on the use and enjoyment of open space. |
| The existing temporary activity standards manage the following effects of activities – noise, duration, frequency, timing, traffic in rural and future urban zones only, and the lighting of fire works. |

| E40.3. Policies |
| (3) Temporary activities involving large numbers of people predominantly occur in the Business – City Centre Zone, the Business – Metropolitan Centre Zone and the Auckland Domain. |
| The Trading and Events in public Places Bylaw enables management of a number of other effects associated with the use of a park or reserve, food, alcohol, traffic, signage, waste, temporary structures and health and safety. |
| Temporary activities on Sites of Significance to Mana Whenua have a separate management approach i.e. a resource consent is required. |

| E40.3. Policies |
| (4) Temporary activities involving large numbers of people predominantly occur in the Business – City Centre Zone, the Business – Metropolitan Centre Zone and the Auckland Domain. |
| The existing temporary activity standards distinguish between the city centre & metro centres and "other areas". Specific provisions also apply to the Auckland Domain. |

| E40.3. Policies |
| (1) Enable temporary activities and associated structures, provided any adverse affects are located and managed to mitigate adverse effects on amenity values, communities and the natural environment. |
| Temporary activities are provided for as permitted activities subject to compliance with the relevant standards. |
### Attachment B

**Item 11**

<table>
<thead>
<tr>
<th><strong>Effects on amenity values are avoided, remedied or mitigated, including by ensuring:</strong></th>
<th>These standards include – noise, duration, frequency, timing, traffic in rural and future urban zones and the lighting of fireworks.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) noise associated with the activity meets the specified standards;</td>
<td>The Trading and Events in Public Places Bylaw enables management of a number of other effects associated with the use of a park or reserve, food, alcohol, traffic, signage, waste, temporary structures and health and safety.</td>
</tr>
<tr>
<td>(b) activities on adjacent sites that are sensitive to noise are protected from unreasonable or unnecessary noise;</td>
<td>Temporary activities on Sites of Significance to Mana Whenua have a separate management approach i.e. a resource consent is required.</td>
</tr>
<tr>
<td>(c) noise from outdoor events using electronically amplified equipment is controlled through limiting the times, duration and the frequency of events;</td>
<td></td>
</tr>
<tr>
<td>(d) waste and litter are effectively managed and minimised; and</td>
<td></td>
</tr>
<tr>
<td>(e) any restrictions on public access or other users of open space areas are minimised, and any adverse effects are mitigated.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>(2) Enable temporary activities for filming purposes, including associated film sets, while managing any adverse effects.</strong></th>
<th>Filming activities are a permitted activity for up to and including 30 consecutive days. Filming activities exceeding this standard are a restricted discretionary activity.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Filming activities are also subject to the Film Auckland Protocol.</td>
<td></td>
</tr>
<tr>
<td>Filming activities on Sites of Significance to Mana Whenua are currently a restricted discretionary activity and require a resource consent (they fall within the wider definition of temporary activity).</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>(3) Control traffic generated by a temporary activity, including heavy traffic, so that it does not distract from:</strong></th>
<th>Traffic associated with a temporary activity is only managed in the Unitary Plan for events in rural areas or future urban areas where there is more than 500 vehicle movements per day.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) the capacity of the road to safely and efficiently cater for motor vehicles, pedestrians and cyclists, and</td>
<td>Otherwise the Trading and Events in Public Places Bylaw can require approval for events on roads or streets or events that will impact the normal traffic/pedestrian flow.</td>
</tr>
<tr>
<td>(b) the well-being of residents and reasonable functioning of businesses on surrounding sites.</td>
<td></td>
</tr>
</tbody>
</table>

| **(4) Require any disturbance of the foreshore or seabed from a temporary activity to** | The Trading and Events in Public Places Bylaw enables consideration of impacts on the “environment” and appropriate mitigation measures associated with a temporary activity. Approval conditions include c) the location of the activity. |
(5) Require temporary activities involving large numbers of people to locate in areas where there is:
(a) capacity to safely host large numbers of people;
(b) sufficient parking where necessary;
(c) sufficient road network capacity for the event;
(d) capacity in the public transport network to service the event, or the ability for the event to be temporarily serviced by mass passenger transport, and
(e) the ability to avoid, remedy or mitigate adverse effects on the environment.

The temporary activity provisions distinguish between locations within the City Centre and Metropolitan Centres and outside these areas.

There is generally greater flexibility within the City Centre and Metropolitan Centres than outside these areas with a greater number of noise events and higher (more enabling of greater noise) noise standards.

In addition, the Trading and Events in Public Places Bylaw can require approval for events on roads or streets or events that will impact the normal traffic/pedestrian flow.

(6) Manage the effects of temporary activities so that the values of any scheduled ecological, natural character, natural features, landscape, historic heritage or Mana Whenua areas are maintained, and any adverse effects on the natural environment are avoided, remedied or mitigated.

Temporary activities are currently a restricted discretionary activity on Sites of Significance to Mana Whenua. The resource consent process enables an assessment of the effects of such activities on the values of these sites and places and if consent is granted, appropriate conditions.

There are no additional controls for scheduled ecological, natural character, natural features, landscape, historic heritage features/areas, except:

- Filming activities in the Waitakere Ranges Heritage Area Overlay must comply with additional standards
- Temporary buildings and structures and signs including those accessory to a temporary activity in the Historic Heritage Overlay must comply with additional standards

Section 10 (deciding an application) of The Trading and Events in Public Places Bylaw 2015 states:

(3) In deciding to grant or decline an application for approval the council must consider the following matters:
(c) the impacts on the surrounding environment and users as a result of noise, smell, glare, light spill, appearance or any other effects and, whether these impacts have been appropriately mitigated;

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>Temporary activities are currently a restricted discretionary activity on sites of significance to Mana Whenua</td>
<td></td>
</tr>
<tr>
<td>Significance to Mana Whenua Overlay</td>
<td>(1) The tangible and intangible values of scheduled sites and places of significance to Mana Whenua are protected and enhanced. Whenua. The resource consent process enables an assessment of the effects of such activities on the values of these sites and places and the opportunity to apply appropriate conditions if consent was to be granted.</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>(2) Scheduled sites and places of significance to Mana Whenua are protected from inappropriate subdivision, use and development, including inappropriate modification, demolition or destruction. Temporary activities are currently a restricted discretionary activity on sites of significance to Mana Whenua. The resource consent process enables an assessment of the effects of such activities on the values of these sites and places and the opportunity to apply appropriate conditions if consent was to be granted.</td>
<td></td>
</tr>
<tr>
<td>D21.3. Policies</td>
<td>(2) Avoid significant adverse effects on the values and associations of Mana Whenua with sites and places of significance to them. Temporary activities are currently a restricted discretionary activity on sites of significance to Mana Whenua. The resource consent process enables an assessment of the effects of such activities on the values of these sites and places and the opportunity to apply appropriate conditions if consent was to be granted. Sites may be valued for different reasons by different iwi. As the term “temporary activities” encompasses a wide range of activities, the effects may vary from activity to activity depending on the nature of the activity and its size/scale.</td>
</tr>
<tr>
<td>(3) Require subdivision, use and development, where adverse effects on sites and places of significance cannot practically be avoided, to remedy or mitigate those adverse effects by: (a) enhancing the values of the scheduled site or place of significance and the relationship of Mana Whenua with their tāonga, commensurate with the scale and nature of the proposal; (c) recognising and providing for the outcomes articulated by Mana Whenua through an assessment of environmental effects with Mana Whenua and within iwi planning documents; (d) demonstrating consideration of practicable alternative methods, locations or</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Temporary activities are currently a restricted discretionary activity on sites of significance to Mana Whenua. The resource consent process enables an assessment of the effects of such activities on the values of these sites and places, an assessment of alternatives (where appropriate) and the opportunity to either decline consent, or if approved, to impose appropriate conditions.</td>
</tr>
</tbody>
</table>
designs that would avoid or reduce the impact on the values of scheduled sites and places of significance to Mana Whenua, and 
(e) demonstrating consideration of practical mechanisms to maintain or enhance the ability to access and use the scheduled site or feature for karakia, monitoring, customary purposes and ahi kā roa by Mana Whenua.

| (5) Recognise that some activities may have such significant adverse effects on Mana Whenua values that they are culturally inappropriate when considering the nature of the scheduled site or place of significance and associated values. |
| Temporary activities are currently a restricted discretionary activity on sites of significance to Mana Whenua. The resource consent process enables an assessment of the effects of such activities on the values of those sites and places and the opportunity to either decline consent, or if approved, to apply appropriate conditions. |

| (11) Require an assessment of environmental effects where proposed works may have adverse effects on the values associated with sites or places of significance to Mana Whenua. |
| Temporary activities are currently a restricted discretionary activity on sites of significance to Mana Whenua. The resource consent process enables an assessment of the effects of such activities on the values of those sites and places and the opportunity to either decline consent, or if approved, to apply appropriate conditions. |

Table 7: Auckland Unitary Plan RPS Objectives and Policies

6.4 Relevance to any Particular Bylaws

6.4.1 Trading and Events in Public Places Bylaw 2015

The Trading and Events in Public Places Bylaw controls events in public places. It sets up the process for the event permit requirements. Relevant sections of the Trading and Events in Public Places bylaw are:

4 Purpose

(1) The purpose of this bylaw is to provide for the control of events and trading in public places by:

(a) regulating trading activities and the conduct of persons selling or offering goods or services in public places by requiring approval from the council, Auckland Transport or other council-controlled organisation;

(b) regulating events and filming in roads and other public places by requiring operators to obtain an approval;
(c) setting general and specific conditions for trading and events in public places to ensure that appropriate standards of health and safety, pedestrian and vehicle access and visual amenity are maintained;
(d) prescribing for fees in respect of any approval in relation to matters specified in subclauses (1)(a) and (b).

5 Interpretation
(1) In this bylaw, unless the context otherwise requires,—

"event" means an organised temporary activity that takes place on one or more days including an organised gathering, parade, protest, wedding, private function (which is independent of premises), festival, concert, celebration, multi-venue sports event of a significant scale, fun run, marathon, duathlon or triathlon. For the purposes of this bylaw an indoor performance, indoor private function, tasting and sampling activity, giveaway, market, sports practice or training is not an event.

6 Requirement to hold an approval
(1) A person must hold an approval issued by the council to undertake the following activities in public places:
(a) trading in a public place;
(b) events;
(c) filming.

10 Deciding an application
(1) Subject to compliance with this clause, the council may grant (with or without conditions) or refuse any application for approval at its discretion.
(2) The decision to grant or refuse an application for an approval together with any conditions on the approval, must be made in accordance with any relevant guidelines approved by resolution of the council, specified under this bylaw from time to time.
(3) In deciding to grant or decline an application for approval the council must consider the following matters:
(a) the location of the activity and whether it is likely to cause a nuisance, obstruction or a hazard to pedestrians or vehicular traffic;
(b) the specifications of any furniture, structures, equipment, vehicles and other items to be used for the activity;
(c) the impacts on the surrounding environment and users as a result of noise, smell, glare, light spill, appearance or any other effects and; whether these impacts have been appropriately mitigated;
(d) the suitability of a person to hold an approval taking into account any known past operational issues and the applicant’s experience and track record;
(e) where applicable, whether an applicant is a registered charity or a member of a registered organisation;
(f) whether the activity is consistent with Auckland Council policies and plans, including but not limited to, the Auckland Plan, Smokefree Policy, local alcohol and gambling policies.
(4) Any person who has an application declined or revoked by the council must apply in writing for a review of the decision and the council may review it accordingly.

11 Approval conditions
(1) The conditions upon which an approval is granted may include, but are not limited to, the following:
(a) the designated times of operation (hours and days) including limitations on the hours of set up and pack down;
(b) the duration of the approval;
(c) the location of the activity, taking into account the surrounding land uses and street layout and the minimum clear widths of footpaths required for pedestrian access;
(d) a requirement that the activity is not located in a public place (including near intersections, bus stops, vehicle crossings, accessways or service lanes) in a way that it is likely to cause a nuisance, unreasonable obstruction or hazard to pedestrian and vehicle access;
(e) that a continuous accessible path of travel is provided for;
(f) requiring compliance with a traffic management plan and/or any waste management and minimisation plan;
(g) requiring compliance with any guidelines or policies for shared space areas;
(h) specifications on the use of any furniture, structures, equipment, vehicles and other items associated with the activity;
(i) safety, health and hygiene requirements;
(j) the requirement for public liability insurance;
(k) restrictions on the use of amplified music/sound;
(l) requiring compliance with Auckland Council policies and plans, including but not limited to, the Auckland Plan, Smokefree Policy, local alcohol and gambling policies.

(2) Notwithstanding subsection(1) any trading activity involving use of the footpath must maintain a minimum unobstructed footpath width of no less than 1.8 metres.

23 Events and Filming

(1) In addition to decisions regarding an application for approval as specified in Clause 10 the council will consider the following matters when assessing an application for an event or filming approval:
(a) whether there is a prior booking of the public place and the two events or, filming activities, cannot reasonably take place at the same time, or
(b) whether there will be significant disruption to traffic flows or public passage, or
(c) any impacts on public safety.

Explanatory note: Film approval applications are handled by Screen Auckland, which is the film office for the Auckland region and operates as part of Auckland Tourism Events and Economic Development.

Section 7.0 Engagement and Consultation

7.1 Relevant Sections of Resource Management Act and Local Government Act


Section 1A – Mana Whakahono a Rohe, requires that a proposed policy statement or plan must be prepared in accordance with any applicable Mana Whakahono a Rohe.
At the time of preparing this plan change, Auckland Council had not entered into any Mana Whahono a Rohe with iwi. One request had been received however from Nga Tai KI Tamaki and work is well advanced on a Mana Whakahono a Rohe.

During the preparation of a proposed policy statement or plan, the local authority concerned shall consult—

(a) the Minister for the Environment; and
(b) those other Ministers of the Crown who may be affected by the policy statement or plan; and
(c) local authorities who may be so affected; and
(d) the tangata whenua of the area who may be so affected, through iwi authorities; and
(e) any customary marine title group in the area.

(2) A local authority may consult anyone else during the preparation of a proposed policy statement or plan.

(4) In consulting persons for the purposes of subclause (2), a local authority must undertake the consultation in accordance with section 82 of the Local Government Act 2002. Section 82 of the Local Government Act outlines the principles of consultation. These are:

82(1) Consultation that a local authority undertakes in relation to any decision or other matter must be undertaken, subject to subsections (3) to (5), in accordance with the following principles:

(a) that persons who will or may be affected by, or have an interest in, the decision or matter should be provided by the local authority with reasonable access to relevant information in a manner and format that is appropriate to the preferences and needs of those persons;

(b) that persons who will or may be affected by, or have an interest in, the decision or matter should be encouraged by the local authority to present their views to the local authority;

(c) that persons who are invited or encouraged to present their views to the local authority should be given clear information by the local authority concerning the purpose of the consultation and the scope of the decisions to be taken following the consideration of views presented;

(d) that persons who wish to have their views on the decision or matter considered by the local authority should be provided by the local authority with a reasonable opportunity to present those views to the local authority in a manner and format that is appropriate to the preferences and needs of those persons;

(e) that the views presented to the local authority should be received by the local authority with an open mind and should be given by the local authority, in making a decision, due consideration;

(f) that persons who present views to the local authority should have access to a clear record or description of relevant decisions made by the local authority and explanatory material relating to the decisions, which may include, for example, reports relating to the matter that were considered before the decisions were made.

(2) A local authority must ensure that it has in place processes for consulting with Māori in accordance with subsection (1).

Under section 3B - Consultation with iwi authorities, of the first schedule (of the RMA)
For the purposes of clause 3(1)(d), a local authority is to be treated as having consulted with iwi authorities in relation to those whose details are entered in the record kept under section 35A, if the local authority—
(a) considers ways in which it may foster the development of their capacity to respond to an invitation to consult; and
(b) establishes and maintains processes to provide opportunities for those iwi authorities to consult it; and
(c) consults with those iwi authorities; and
(d) enables those iwi authorities to identify resource management issues of concern to them; and
(e) indicates how those issues have been or are to be addressed.

4A Further pre-notification requirements concerning iwi authorities

(1) Before notifying a proposed policy statement or plan, a local authority must—
(a) provide a copy of the relevant draft proposed policy statement or plan to the iwi authorities consulted under clause 3(1) (d); and
(b) have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities.
(2) When a local authority provides a copy of the relevant draft proposed policy statement or plan in accordance with subclause (1), it must allow adequate time and opportunity for the iwi authorities to consider the draft and provide advice on it.

7.2 Engagement with Mana Whenua / iwi authorities

A draft copy of the plan change was forwarded to all Auckland’s 19 iwi as required under Section 4A of the first schedule above.

Responses were received from Ngāti Whātua Ōrākei and Ngai Tai ki Tamaki.
Ngāti Whātua Ōrākei had no concerns with the proposed changes and did not need to engage further. Ngai Tai ki Tamaki advised that a potential concern is the MACCA (The Marine and Coastal Area Act – Takutai Moana) claims and legal processes. The proposed changes do not impact the activities able to be undertaken in the coastal marine area. They address a gap in the noise standards.

Consultation has also been undertaken with the Independent Māori Statutory Board.

7. 3 Councillor & Local Board Engagement

A Councillor workshop on temporary activities was held on 6 March 2019. The primary purpose of that workshop was to discuss the future Plans and Places work programme and topics/issues that councillors would like to see investigated. Louella Pitt and Mikaela Otene from ATEED presented a summary of the issues ATEED was having with the temporary activity rules in the Unitary Plan and how many events were required to seek a resource consent. The key areas of concern were:
Noise Limits

- Under the AUP there are currently noise limits of 50db LAeq from Monday – Saturday 7am – 10pm and Sunday 9am – 6pm in residential zones (Standard E25.6.2);
- In the City Centre, Metro Centres, Town Centre and Mixed Use zones the noise limits are 65dB LAeq7am – 11pm and 65dB LA eq (Standard E25.6.8);
- A specified number of Noise Events (15 – 18) are provided for under the temporary activity provisions for both inside and outside the City Centre and Metro Centres (Standards E40.6.4 & E40.6.5);
- Anyone that packs in/out outside these times and generates noise during the process greater than the applied lower noise level of 45db LAeq (construction noise standards) requires a resource consent;
- There is also a six hour noise duration limit on a live event;
- Event Facilitation recommends increasing the noise duration limits from six hours to seven or eight hours and increasing the lower noise level of 45db LAeq to 50db LAeq.

Duration

- The AUP currently applies restrictions of six days (including pack in/pack out) upon the duration in which an event can be onsite without the requirement for a resource consent;
- The requirement to obtain a resource consent for any activity longer than six days places considerable pressure (i.e. time pressure to undertake the event and completed the pack in/pack out) upon events;
- To enable the community to activate public open spaces it would be the preference of Event Facilitation to enable the six-day duration period to be applicable to the event live period, excluding pack in and pack out durations (Plan Change 14 did exclude the time required to establish and remove all structures and activities associated with the noise event and reinstate the site to its original condition prior to the noise event, from the noise event duration;
- To enable appropriate consideration of pack in and pack out periods, Event facilitation suggested a matrix enabling pack in and pack out to reflect the scale of the event (e.g. up to 499 people attending – 12 hrs, 500-4,999 – 24 hrs & 5,000 and above – 48 hrs)

D21 Overlay – Sites of Significance to Mana Whenua

- ATEED cannot start the iwi engagement process without a resource consent application.
- Events such as weddings, school events or any other small-scale activity do not typically trigger resource consent requirements. However, where there is a Mana Whenua overlay resource consent would be required.
- Event Facilitation would suggest iwi consultation take place during the permitting process without a resource consent requirement

All twenty-one local boards were sent a memorandum on 17 July 2020 outlining the issues and a copy of the proposed plan change for their consideration and feedback.

Local boards are able to provide their formal feedback once submissions have closed. Those local boards that provide formal feedback will also have the opportunity to speak to their views at the hearing.
Formal feedback received from local boards will be included in the hearing report, along with the points raised by submitters.

7. 4 Council Group Views

Discussions have been held with Event Facilitation, Arts Community and Events, Auckland Council over the issues being experienced with the Unitary Plan in relation to temporary activities.

The role of Event Facilitation is to guide event organisers through the permitting process to ensure regulatory requirements are met. Event Facilitation are advocates for events to occur on public open space, enabling thriving communities. The Event Facilitator acts as the conduit for event organisers to key event stakeholders. Stakeholders are both internal (within Auckland Council) and external organisations.

The Trading and Events in Public Places Bylaw was introduced on 1 July 2015. The bylaw manages activities, including events, in public places fairly and consistently across the Auckland Region. Event permits are issued by Auckland Council Event Facilitation under the bylaw.

Event facilitation has provided feedback on the issues the community is experiencing with the Unitary Plan when undertaking events.

A further memo was received from ATEED on 10 March 2020 which raised the following issues including those relating to filming activities (which are a subset of temporary activities):

Sites and Places of Significance to Mana Whena

- Film permits take 3-5 working days to obtain from Screen Auckland. Obtaining a resource consent for filming purposes is not possible in this timeframe so would have an adverse affect on the industry;
- Budget restrictions would also make it a challenge for industry to apply for resource consent;
- While applications for major events have the lead time due to the size and nature of the event, for smaller community events, the costs of processing the resource consent is becoming too prohibitive;
- The process of permitting an event is a robust one. The mitigations measures required through the resource consent process are often the same mitigations measures applied by the facilitators in order to permit the event.

Vehicle Movements

- Currently have film productions with up to 500 crew, potentially operating in a rural zone or future urban zone;
- This number is very low and doesn’t allow for the community to attend events;
- It also doesn’t allow for the number of required contractors and staff to work on the event;
- Through the event permitting process, it would be beneficial to mitigate the impact of traffic on the environment by engaging with local knowledge and Auckland Transport.
Noise Levels (noise level and construction activities particularly around pack in and pack out)

- While an event may not trigger a resource consent for the duration, noise or mana whenua overlay, it does because of the nature of the pack in/pack out of the event i.e. trucks used to deliver or remove infrastructure associated with the event;
- These effects are mitigated through the event permitting process by engaging with locally affected parties and stakeholders;
- The costs of applying for a resource consent for community events is too costly and is resulting in events leaving our region, losing money for the Auckland economy.

Anzac Day

- The Supercars Championship (V8 Supercars) was to be held at Pukekohe Park in 2020 (and again in 2021). However, under the Pukekohe Park precinct, this couldn’t go ahead without a resource consent as racing was not permitted on Anzac Day;
- Under the Anzac Day Act 1966, where Anzac Day falls on a Saturday it is only observed until 1pm;
- ATED would like to see the Unitary Plan changed to be the same as the Anzac Day Act 1966.

Maori Heritage team

Auckland Council’s Maori Heritage team were asked if a plan change was not appropriate, could a “global resource consent” be used to address the issue of temporary activities on Sites and Places of Significance to Mana Whenua. The response is outlined below:

- The Maori Heritage team strongly oppose a global consent over any Maori heritage sites of significance;
- Cultural values differ between a mara kai (food garden) and an urupa (cemetery), and that tikanga differs between iwi/hapu;
- A ‘one size fits all’ (i.e. a global resource consent) approach actually doesn’t work;
- The Maori Heritage team’s understanding is that the vast majority of RD applications are processed quickly, iwi are consulted and the consent is granted under delegation by planners without hearing. Under permitted activity status, iwi may not be consulted – this goes against objectives of the Auckland Plan and Long Term Plan and obligations under the Treaty and RMA;
- The Maori Heritage team’s preference is that the status quo is retained – where individual resource consents are required for temporary activities on Sites and Places of Significance to Mana Whenua.

Section 8.0 Development of Possible Options

8.1 Description of options

The criteria used to select potential options for consideration to address the resource management issues and achieve the objectives are:

1. Achievable/able to be implemented;
II. Acceptable RMA practice;
III. Timeliness – able to be implemented in a timely manner; and
IV. Addresses the RMA issue.

The high-level options for addressing the four identified issues are:

- Option 1 – No change/status quo
- Option 2 – Plan Change
- Option 3 – Resource Consent
- Option 4 – Existing Use Rights
- Option 5 – Non Statutory Methods

A high level assessment of the options available against the criteria is set out in the table below:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Option 1 – No change/status quo</th>
<th>Option 2 – Plan Change</th>
<th>Option 3 – resource consent</th>
<th>Option 4 – Existing Use Rights</th>
<th>Option 5 – Non statutory methods</th>
</tr>
</thead>
</table>
| Achievable/able to be implemented | Yes - does not involve any change | Plan change required. Involves slight - substantial modification to the temporary activity standards | Resource Consent process is quicker than the Plan Change process. A consent is able to be sought for Temporary activities that do not comply with standards and temporary activities on Sites of Significance to Mana Whenua. Either a “global” consent could be sought for multiple temporary activities or individual consents. A global consent might not be able to capture all temporary activities | Applies only to lawfully established activities where the effects of the use are the same or similar in character, intensity and scale to those which existed before the rate became operative or the proposed plan was notified | Yes - does not require a plan change.
### Acceptable RMA practice

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>No change means that the triggers for resource consent in relation to temporary activities remain the same.</td>
<td>No change means that the triggers for resource consent in relation to temporary activities remain the same. Resource consent would continue to be required for any temporary activity on a Site of Significance to Mana Whenua. A gap would continue to exist for noise controls for temporary coastal activities.</td>
</tr>
<tr>
<td>Yes – just raises the threshold for when a consent is required but effects are still managed. It is acceptable RMA practice that a resource consent is required for temporary activities on Sites of Significance to Mana Whenua. Not appropriate that there is a gap for noise controls for temporary coastal activities.</td>
<td>Yes – the resource consent process is an acceptable method of managing the effects of temporary activities. Yes – existing use rights are provided for under the RMA – section 10. Non-statutory methods are an acceptable resource management tool or method.</td>
</tr>
</tbody>
</table>

### Timeliness – able to be implemented in a timely manner

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>No plan change so timelessness is not an issue.</td>
<td>A plan change can take significant time – depending on the number of submissions received and if there are any appeals. More substantial changes are likely to generate a greater number of submissions and potentially appeals.</td>
</tr>
<tr>
<td>A resource consent also takes a significant amount of time but less than a plan change. Onus lies with the applicant to prepare the resource consent application (this could be AK Council’s events team or individual applicants)</td>
<td>Effective immediately, provided the activity has been lawfully established and the effects of the use are the same or similar in character, intensity, and scale to those which existed before the rule became operative or the proposed plan was notified. Non-statutory methods are able to be implemented reasonably quickly, depending on the method and the process or preparation and the availability of resources (including budgets). A bylaw for example has a similar preparation time to a plan change but there are no rights of appeal.</td>
</tr>
</tbody>
</table>

### Addresses the RMA issue(s)

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does address the issue by managing temporary activities but the threshold is set at a level where many temporary A plan change option could provide some additional flexibility for temporary activities. It could also reduce the Resource consents are an acceptable means of departing from the temporary activity standards and Only partly addresses the issues Enables existing, established</td>
<td>Doesn’t address the issue that the current temporary activity standards in the UP are</td>
</tr>
</tbody>
</table>

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48 | Page
Table 8: Assessment of high level possible options against the selection criteria

All five broad options are valid RMA approaches and have strengths and weaknesses as outlined above. The issue is the efficiency and effectiveness of the options for each particular issue. This will be assessed in greater detail section 9 of this report.

8.2 The Options

The development of the options has been shaped by:

- Consideration of the context surrounding the issues (section 6)
- Results of engagement and consultation with iwi, Local Boards and the wider “Council Group” (section 7)
- Initial scoping of “high – level” possible options (the tools available to address the issues) (section 8)

8.2.1 Issue 1 – Temporary Activity Standards (excluding sites of significance to Mana Whenua)

Option 1 – No change/status quo

This option retains the status quo. This means that a resource consent would be required for any activity not meeting the temporary activity standards which include the duration of activities, traffic management and the definition of Anzac Day for the Puketapu Park precinct.

Option 2 – Minor amendments to the standards relating to noise limits & duration of activities to provide some additional flexibility.
This option involves some minor changes via a plan change to the temporary activity standards which include noise limits, the duration of activities and traffic. Events of a significant duration and/or those that generate substantial noise would still trigger the need for resource consent.

Option 3 – Global resource consent

This option involves ATEED applying for resource consent for a number of recurring events at known locations. A global consent would negate the need for specific one-off resource consent applications, but these would still be required for any events/activities not captured by the global consent.

Existing use Rights

Note: Existing use rights may apply to recurring temporary activities that were established prior to the Unitary Plan e.g. Auckland marathon. Activities must however have been lawfully established and the effects of the use the same or similar in character, intensity and scale to those which existed before the Unitary Plan became operative in part. Events that have increased in size annually may therefore not be able rely on existing use rights.

8.2.2 Issue 2 – Sites of Significance to Mana Whenua Overlay

Option 1 – No change/status quo

This option retains the status quo whereby any temporary activity, including filming, regardless of its character, scale, intensity and effects on a Site of Significance to Mana Whenua requires a limited discretionary resource consent.

Option 2 – Plan Change to enable all temporary activities as a permitted activity on sites of significance to mana whenua but subject to engagement with iwi under the Trading and Events in Public Places Bylaw 2015 and the ability to decline unsuitable applications through the event permit process (note: the ability to decline applications under the EPP Bylaw 2015 already exists).

This option involves amending the Unitary Plan’s Sites of Significance to Mana Whenua overlay to make temporary activities permitted (currently restricted discretionary). Engagement with Man Whenua and management of the temporary activity would then occur through the Events Permit process. This would require an amendment to the Trading and Events in Public Places Bylaw 2015 to specifically refer to engagement & matters of consideration when deciding on an application when activities or events are proposed on sites of significance to Mana Whenua.

Option 3 – Plan change to enable certain temporary activities as permitted activities e.g. those that involve no buildings or structures, food preparation, toilet facilities etc. e.g. capping ceremony (Aotea Square), parades (Queen Street). The remainder would require resource consent.

This option involves distinguishing between those temporary activities which have minimal effect due to the absence of buildings & structures, food preparation, alcohol, waste etc and those they do involve one or more of these elements. Those that have no or minimal adverse effects on the values of the sites can be a permitted activity, whilst those that do or potentially do can remain a limited discretionary activity.

Option 4 – “Global” resource consent
This option involves ATEED applying for a “global resource consent” for temporary activities on specific sites of significance to mana whenua. The consent could be for temporary activities generally (which could be difficult as the nature of the effects will be hard to specify) or could be for a range of specified activities that cover most instances. Conditions of the resource consent would provide opportunity to avoid adverse effects.

Note: Regional Facilities Auckland has lodged a resource consent for temporary activities/events on sites of significance to mana whenua on three of their sites/facilities. These involve:
Auckland Zoo: Nga Kaunaewhati (Schedule 12 site 004)
Aotea Square: Horotiu (Schedule 12 site 016*)
Western Springs: Wai Orea (Schedule 12 site 008)

Option 5 – Existing Use Rights

This option relies on existing use rights for well-established recurring activities which occur on Sites and Places of Significance to Mana Whenua e.g. Auckland marathon (part of Tamaki Drive is a site and place of significance). Activities must however have been lawfully established and the effects of the use the same or similar in character, intensity and scale to those which existed before the Unitary Plan became operative in part. Events that have increased in size over time may therefore not be able rely on existing use rights.

8.2.3 Issue 3 – Gap in noise rules for coastal temporary activities

Option 1 – No change/status quo
This option retains the status quo. This means that activities in the coastal marine area that are not defined as “noise events” have no applicable noise standards.

Option 2 – Plan Change to introduce a new noise rule for coastal temporary activities
This option addresses the gap in the provisions by introducing a noise standard or cross reference to a noise standard for activities in the coastal marine area that are not defined as noise events. (Note: noise events are defined in the Unitary Plan as “an event that exceeds the general noise controls for a site (or area within the coastal marine area) either in level or duration”.

8.2.4 Issue 4 – Temporary Emergency Activities

Option 1 – No change/status quo – rely on Section 330 – Emergency works and power to take preventative or remedial action, of the RMA.

This option continues with the status quo and reliance on Section 330 of the RMA to take the necessary action during an emergency.

Option 2 – Plan change to provide for “temporary emergency activities” as a permitted activity across the region (with a definition added).

This option involves a change to the Unitary Plan to specifically provide for “temporary emergency activities” as a permitted activity under the Temporary Activity provisions (which apply region wide).

Option 3 – Amendments to the RMA
This option involves lobbying Central Government (Ministry for the Environment) through the review of the RMA to provide greater powers when emergency activities are required in response to natural events/disasters.

The assessment of possible options against the selection criteria is outlined in the table below:

## Section 9. Assessment of Options

### 9.1 Evaluation Criteria

The Tables below assess the options for addressing the resource management issues against the evaluation criteria.

<table>
<thead>
<tr>
<th>Sections of the RMA</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriateness</td>
<td>s32(1)(a) and s32(1)(b) of the RMA</td>
</tr>
<tr>
<td>Effectiveness</td>
<td>s32(1)(b)(i) of the RMA</td>
</tr>
<tr>
<td>Efficiency</td>
<td>s32(1)(b)(i) of the RMA</td>
</tr>
<tr>
<td>Costs</td>
<td>s32(2) of the RMA</td>
</tr>
<tr>
<td>Benefits</td>
<td>s32(2) of the RMA</td>
</tr>
<tr>
<td>Risks</td>
<td>s32(2)(c) of the RMA</td>
</tr>
</tbody>
</table>

Table 9: Criteria for the evaluation of options

### 9.2 Evaluation Scoring

Table 3 below contains a description of how the criteria are to be “scored”. This has been overlaid over the assessment.

---

This text is extracted from a document discussing the evaluation of options for addressing resource management issues in the Auckland Unitary Plan. It highlights the need for lobbying the Central Government through the review of the RMA to provide greater powers during emergencies. The assessment involves evaluating various criteria, such as appropriateness, effectiveness, efficiency, costs, benefits, and risks. These criteria are outlined in a table, with specific sections of the RMA referenced for each criterion. The evaluation scoring is described in Table 3, which will not be shown here but indicates how these options are to be evaluated and scored.
### Sections of the RMA

<table>
<thead>
<tr>
<th>Ranking</th>
<th>Poor</th>
<th>Moderate</th>
<th>Strong</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Appropriateness</strong></td>
<td>Not appropriate in addressing issue</td>
<td>Somewhat addresses the issue</td>
<td>Appropriate in addressing the resource management issue</td>
</tr>
<tr>
<td><strong>Effectiveness</strong></td>
<td>Not effective in addressing issue</td>
<td>Somewhat effective in addressing issue</td>
<td>Addresses the issue effectively</td>
</tr>
<tr>
<td><strong>Efficiency</strong></td>
<td>Not efficient</td>
<td>Somewhat efficient</td>
<td>Efficient in addressing issue</td>
</tr>
<tr>
<td><strong>Costs</strong></td>
<td>Poses a high cost and/or had negative impact</td>
<td>Moderate costs and/or negative impacts</td>
<td>Little cost and/or negative impacts</td>
</tr>
<tr>
<td><strong>Benefits</strong></td>
<td>Little benefit and/or positive impacts</td>
<td>Moderate benefits and/or positive impacts</td>
<td>High benefit and/or positive impacts</td>
</tr>
<tr>
<td><strong>Risks</strong></td>
<td>High risks</td>
<td>Moderate risks</td>
<td>Low risk</td>
</tr>
</tbody>
</table>

Table 10: Evaluation rankings

#### 9.3 The Evaluation

The evaluation of the possible options against the evaluation criteria is as follows:

#### 9.3.1 Issue 1 – Temporary Activity Standards

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Option 1 – No change/status quo</th>
<th>Option 2 – Amendments to the controls relating to duration of activities, traffic management and the definition of Anzac Day to provide greater flexibility</th>
<th>Option 3 – Global resource consent</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Appropriateness</strong></td>
<td>Retaining the current approach is a valid option. It could be deemed appropriate given that the rules have only been in force since Nov 2016 and were the subject of the Unitary Plan process, including the hearing of submissions by the IHP.</td>
<td>Providing additional flexibility is also a valid approach. This option would result in adjusting the threshold (in terms of standards) slightly between what is a permitted activity and when resource consent would be required.</td>
<td>There is the potential to bundle together a number of temporary activities into a global resource consent to seek greater flexibility in terms of noise limits and duration. This is a valid resource management approach.</td>
</tr>
<tr>
<td>Item 11</td>
<td>Attachment B</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

### Effectiveness

<table>
<thead>
<tr>
<th>Planning Committee</th>
<th>03 September 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auckland Council</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Effectiveness</th>
<th>Evidence from the Event Facilitation team and resource consent data indicates that a number of events now require a resource consent.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Adjusting the bar slightly between what is a permitted activity and when resource consent is required will be effective in enabling a greater number of temporary activities to occur (without the need for resource consent).</td>
</tr>
<tr>
<td></td>
<td>Able to clearly identify effects associated with known temporary activities on specific sites.</td>
</tr>
<tr>
<td></td>
<td>Conditions can be applied to avoid, or mitigate those effects.</td>
</tr>
<tr>
<td></td>
<td>Those events the subject of the global resource consent can then take place.</td>
</tr>
</tbody>
</table>

### Efficiency

<table>
<thead>
<tr>
<th>Efficiency</th>
<th>Requiring a large number of temporary activities to go through a resource consent process is not a very efficient process for both the event organiser(s) and Council (in terms of both ATEED and Resource Consents who would need to process multiple resource consent applications).</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Adjusting the bar slightly between what is a permitted activity and when resource consent is required would result in a more efficient resource management process.</td>
</tr>
<tr>
<td></td>
<td>A higher level of effects would however be permitted, so protection of amenity values would be lessened.</td>
</tr>
<tr>
<td></td>
<td>One global resource consent dealing with multiple temporary activities on many sites would represent a much more efficient process that the status quo.</td>
</tr>
</tbody>
</table>

### Costs

<table>
<thead>
<tr>
<th>Costs</th>
<th>The time and costs associated with event organisers applying for multiple resource consents and the Council processing of those consents.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A reduced level of protection is afforded to the amenity values of sites in proximity to temporary activity locations.</td>
</tr>
<tr>
<td></td>
<td>The time and costs required to prepare a global resource consent.</td>
</tr>
<tr>
<td></td>
<td>This is off set by the time and costs savings associated with the status quo – where multiple resource consents are required.</td>
</tr>
</tbody>
</table>

### Benefits

<table>
<thead>
<tr>
<th>Benefits</th>
<th>A higher level of protection is afforded to the amenity values of sites in proximity to temporary activity locations.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Threshold for a resource consent can be set at a level that enables certain temporary activities with no more than minor adverse effects to occur as a permitted activity.</td>
</tr>
<tr>
<td></td>
<td>Reduces costs for some temporary activity organisers.</td>
</tr>
<tr>
<td></td>
<td>Affords a higher level of protection to the amenity values of sites in proximity to temporary activity locations as all temporary activities that exceed the current standards are subject to a resource consent.</td>
</tr>
</tbody>
</table>

### Risks

<table>
<thead>
<tr>
<th>Risks</th>
<th>Requiring a large number of temporary activities to go through a resource consent process. Not as many temporary activities take place and this</th>
<th></th>
<th>A higher level of effects would be permitted, so the protection of amenity values associated with nearby sites would be lessened.</th>
<th></th>
<th>Lengthy and costly process of putting the global resource consent together.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Criteria</td>
<td>Option 1 – No change status quo</td>
<td>Option 2 – Enable all temporary activities as a permitted activity &amp; use the Event Permit process to address Iwi Issues</td>
<td>Option 3 – Enable certain temporary activities as permitted activities; Remainder require consent</td>
<td>Option 4 – Global resource consent</td>
<td></td>
</tr>
<tr>
<td>-------------------</td>
<td>---------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------</td>
<td></td>
</tr>
<tr>
<td>Appropriateness</td>
<td>Any temporary activity on a site of Significance to Mana Whenua is a restricted discretionary activity and requires a resource consent. The resource consent process enables an assessment of the effects of the activity on the values of the site and involvement of Iwi in the process.</td>
<td>Removes the requirement for a resource consent. Event permit is a requirement under the Trading &amp; Events in Public Places Bylaw. Event permit process does not currently require engagement with Iwi although this can occur.</td>
<td>Difficult to distinguish which effects of activities should be “permitted” given the different values of different sites and overlapping role of Iwi (where values may differ). Consent may still be required for certain aspects of a temporary activity, so no benefit to event organiser.</td>
<td>Able to clearly identify effects associated with known temporary activities on specific sites. Conditions can be applied to avoid, or mitigate those effects. Iwi involvement in the resource consent process. RFA has applied for a global consent for three sites.</td>
<td></td>
</tr>
<tr>
<td>Effectiveness</td>
<td>Enables a through assessment of effects associated with a temporary activity on a site of significance to Mana Whenua.</td>
<td>Removes the requirement for a resource consent. Instead, relies on the event permit process to identify and manage adverse effects. No requirement currently in the event permit process to address effects on sites of.</td>
<td>Less effective in protecting sites of significance to Mana Whenua. Difficulties in distinguishing which effects should be “permitted” and where given the many values associated with such sites and places and the differing views of Iwi.</td>
<td>Ability to assess the effects of known temporary activities in known locations. Ability to manage adverse effects through conditions of consent. There will be some temporary activities in.</td>
<td></td>
</tr>
<tr>
<td>Efficiency</td>
<td>Requiring every temporary activity on a site of significance to Mana Whenua to go through a resource consent process is not a very efficient process for both the event organiser(s) and IW. Is efficient however in terms of protecting sites of significance to Mana Whenua.</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Avoids duplication of management – i.e. through the Unitary Plan and Event Permit process – so a more streamlined process. Enables some temporary activities to be permitted. Certain aspects of a temporary activity may still trigger the need for resource consent. One global resource consent dealing with multiple temporary activities on many sites of significance to Mana Whenua would represent a much more efficient process that the status quo.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Costs</td>
<td>The time and costs associated with applying for multiple resource consents. The costs applied on IW in responding to multiple resource consent applications. Removes the time and costs associated with the resource consent process. Relies on the Event Permit process only. Changes to the event permit would be required. There could be costs associated with the reduced protection of sites of significance to Mana Whenua.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Removes the time and costs associated with the resource consent process for certain temporary activities (or certain effects). There will still be the costs of the resource consent process for those effects not enabled. The time and costs required to prepare a global resource consent. This is off set by the time and costs savings associated with the status quo – where multiple resource consents are required.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Benefits</td>
<td>Affords a high level of protection for sites of significance to Mana Whenua as all temporary activities are subject to a resource consent. Removes the duplication of processes. IW are still able to be involved but outside the statutory processes. To ensure IW involvement is Threshold for a resource consent can be set at level that enables certain temporary activities with less than minor adverse effects to occur as a permitted activity. Affords a high level of protection for sites of significance to Mana Whenua as all temporary activities are subject to a resource consent.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### 9.3.3 Issue 3 – Gap in noise rules for coastal temporary activities

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Option 1 – No change/status quo</th>
<th>Option 2 – Introduce a new noise rule for coastal temporary activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriateness</td>
<td>A gap will still exist for activities in the coastal marine area in terms of noise standards.</td>
<td>Appropriate that temporary activities in the CMA do have a noise control at the coastal interface. If this is exceeded, then the activity is defined as a noise event and a different set of standards apply including the number, duration and noise limits for noise events.</td>
</tr>
<tr>
<td>Effectiveness</td>
<td>Does not address the issue. The noise events standards will also not be triggered as a noise event is defined as an event that exceeds the general noise controls of a site either in level or duration.</td>
<td>Would address the issue by introducing a noise standard for temporary activities in the coastal marine area.</td>
</tr>
<tr>
<td>Efficiency</td>
<td>As no action is taken to address the issue, this is a zero cost option. This is offset by the fact that the issues are not addressed.</td>
<td>Option involves a plan change and the costs associated with that. These are reduced by bundling together the four temporary activity issues. Does address the issue in a cost effective manner.</td>
</tr>
<tr>
<td>Costs</td>
<td>Potential environmental (amenity values) costs of temporary activities in</td>
<td>Costs associated with a plan change.</td>
</tr>
</tbody>
</table>

Table 12: Evaluation of possible options against the selection criteria – Sites of Significance to Mana Whenua Overlay

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**Risks**

| Temporary activities are costly to run, so not as many are undertaken. The costs applied to iwai in responding to multiple resource consent applications. | Relies on the bylaw to manage the effects associated with temporary activities. Removing the statutory requirement means there are no appeal rights by all parties. | That this option neither benefits iwai or the event organiser. Difficult to distinguish which effects of activities should be “permitted” given the different values of different sites and overlapping rohe of iwai. | Lengthy and costly process of putting the global resource consent together. It can only address those known temporary activities – so is not future proofed. |

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**Planning Committee**  
**03 September 2020**
### Item 11

#### Table 13: Evaluation of possible options against the selection criteria – Gap in the noise rules for coastal temporary activities

| Benefits | The additional of a noise standard imposes an additional constraint on temporary activities in the CMA. | Appropriate that temporary activities in the CMA do have a noise control at the coastal interface. |
| Risks | There are benefits for temporary activities in the CMA as they do not need to comply with any noise standards at the coastal interface. | This will assist in managing the effects of temporary activities on amenity values. |
| Significant adverse effects which impact on the amenity values of adjacent residential or open space areas could occur from temporary activities. | Restrictive standards are applied to temporary activities in the CMA (coastal interface) through the plan change process. |
| Council would be powerless to take action, other than that provided for under section 16 of the RMA (Duty to avoid unreasonable noise) | |

9.3.4 – Issue 4 – Temporary Emergency Activities

Option 1 – No change/status quo – rely on Section 330 – Emergency works and power to take preventative or remedial action, of the RMA

Option 2 – Plan change to provide for “temporary emergency activities” as a permitted activity across the region (with definition added)

Option 3 – Amendments to the RMA

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Option 1 – No change/status quo – rely on Section 330 of the RMA</th>
<th>Option 2 – Plan change to provide for “temporary emergency activities” as a permitted activity across the region (with a definition added)</th>
<th>Option 3 – Amendments to the RMA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriateness</td>
<td>Does address the issue of works required after an &quot;emergency/natural disaster&quot;. Requires a retrospective resource consent to be applied for.</td>
<td>Temporary activities could be expanded to provide for &quot;temporary emergency activities&quot;. Would need to define exactly what these are (a definition would also be required).</td>
<td>Lessons learnt after Christchurch and Kaikoura could be factored into the RMA remit to provide greater powers and more appropriate timeframes to respond to an emergency/natural disaster.</td>
</tr>
<tr>
<td>Effectiveness</td>
<td>Section 330 has been reasonably effective in providing for responses to &quot;emergency/natural disaster&quot;. However the Kaikoura earthquake demonstrated that the requirement to lodge a resource consent within 20</td>
<td>There is already legislation in place but major events such as the Kaikoura earthquake have demonstrated that the timeframes are too tight. A plan change could be effective in addressing this issue and</td>
<td>A review of the RMA is currently underway. This provides an opportunity to learn from events such as the Kaikoura earthquake and to amend the emergency provisions.</td>
</tr>
<tr>
<td></td>
<td>Working days was too short a timeframe for an event of that scale.</td>
<td>Enabling certain works as permitted activities. There would be some duplication with the provisions of the RMA however and potentially any new provisions under the review of the RMA.</td>
<td>These then would apply nationwide.</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td><strong>Efficiency</strong></td>
<td>The statutory timeframes apply to all scale of emergencies. With a significant emergency where numerous emergency works may be required, the standard timeframes in the RMA are insufficient (based on the experiences at Kaikoura).</td>
<td>Individual TLA’s addressing this issue is not the lowest cost/greatest net benefit approach. Addressing the issue at the national level is more efficient. This is particularly so with the review of the RMA currently underway.</td>
<td>A rewrite of the legislation at the ‘national level’ will be able to address the short comings of the current RMA timeframes. This addresses the issue nationally at the lowest cost and highest net benefit (as opposed to individual council undertaking plan changes).</td>
</tr>
<tr>
<td><strong>Costs</strong></td>
<td>With a significant emergency where numerous emergency works may be required, the standard timeframes in the RMA are insufficient. This potentially diverts resources away from the recovery.</td>
<td>Costs associated with a plan change and any appeals. Issue of consistency across the country if Auckland Council pursues a plan change approach to emergency works when the rest of the country relies on legislation (and recovery bills).</td>
<td>May get overlooked with the review of the RMA as this is only one of many issues to be addressed. There is always the option of a ‘recovery bill’ where a “emergency occurs e.g. Hurunui/Kaikoura Earthquakes Recovery Bill.</td>
</tr>
<tr>
<td><strong>Benefits</strong></td>
<td>There is existing legislation in place. This applies to the country as a whole. It enables emergency works to be undertaken (although as mentioned above, the timeframes for applying for retrospective resource consents are too tight)</td>
<td>A plan change can run ahead of the reform of the RMA. Auckland Council can tailor the provisions to the Auckland situation and the likely emergencies/natural disasters it could encounter.</td>
<td>A rewrite of the legislation at the ‘national level’ will be able to address the short comings of the current RMA timeframes. This addresses the issue nationally at the lowest cost and highest net benefit (as opposed to individual council undertaking their own plan changes.</td>
</tr>
<tr>
<td><strong>Risks</strong></td>
<td>There is existing legislation in place. This applies to the country as a whole. It enables emergency works to be undertaken (although as mentioned above, the timeframes for applying for retrospective resource consents are too tight)</td>
<td>The plan change runs counter to the what may come out of the reform of the RMA. Possible duplication of approaches – Unitary Plan and RMA. Plan change becomes stalled as a result of appeals.</td>
<td>The review of the RMA takes considerably longer than anticipated. The review of the RMA doesn’t address the current short comings in the provisions. A “nation – wide” approach is not as tailored to the potential threats/emergency works that Auckland could encounter/require.</td>
</tr>
</tbody>
</table>

Table 14: Evaluation of possible options against the selection criteria – Temporary emergency activities
Section 10.0 Recommended Options and Reasons

10.1 Recommended Options

The following options are recommended. Only Issues 1 & 3 involve a plan change. Issue 2 involves a “global resource consent", while issue 4 involves changes to legislation, specifically the RMA, which is currently under review. Auckland Council may wish to include temporary emergency activities in their submissions on the new RMA Bill when it is available for public submissions.

10.1.1 Issue 1 – Temporary Activity Standards

Option 2 – Plan Change for minor amendments to the temporary activity controls relating to duration of activities, traffic management and the definition of Anzac Day in the Pukekohe Park precinct to provide some additional flexibility.

(Note: Existing Use Rights - this option continues to be available for any event that can establish existing use rights)

10.1.2 Issue 2 – Sites of Significance to Mana Whenua Overlay

Option 4 – “Global” resource consent

(Note: in this context a “global resource consent” is a resource consent application that may involve more than one site and/or more than one temporary activity.)

10.1.3 Issue 3 – Gap in noise rules for coastal temporary activities

Option 2 – Plan Change to introduce a new noise rule for coastal temporary activities

10.1.4 Issue 4 – Temporary Emergency Activities

Option 3 – Amendments to the RMA

(Note: Auckland Council may need to submit on the replacement Resource Management Act to ensure this issue is adequately addressed)

10.2 Rationale for the recommended options

The rationale for the recommended options is:

10.2.1 Issue 1 – Temporary Activity Standards

- Adjusting the bar slightly between what is a permitted activity and when resource consent is required will be effective in enabling a greater number of temporary activities to occur (without the need for resource consent);
- Removes the time and costs associated with the resource consent process for those temporary activities that would be able to meet the new standards;
- Threshold for a resource consent can be set at level that enables certain temporary activities with no more than minor adverse effects to occur as a permitted activity;
- Reduces costs for some temporary activity organisers. This is particularly important for community fundraising events.

60 | P a g e
10.2.2 Issue 2 – Sites of Significance to Mana Whenua Overlay

- Able to clearly identify effects associated with known temporary activities on specific sites;
- Conditions can be imposed to avoid, or mitigate those effects;
- Iwi involvement in the resource consent process;
- A global resource consent dealing with multiple temporary activities on many sites of significance to Mana Whenua would represent a much more efficient process that the status quo, which involves a series of “one off” resource consent applications;
- Affords a high level of protection for sites of significance to Mana Whenua as all temporary activities continue to be subject to a resource consent.

10.2.3 Issue 3 – Gap in noise rules for coastal temporary activities

- Appropriate that temporary activities in the CMA do have a noise control at the coastal interface;
- If the noise standard is exceeded, then the activity is defined as a noise event and a different set of standards apply including the number, duration and noise limits for noise events;
- Addresses the issue in a cost-effective manner, particularly as the plan change is bundled with other changes.

10.2.4 Issue 4 – Temporary Emergency Activities

- Lessons learnt after Christchurch and Kaikoura could be factored into the RMA rewrite to provide greater powers and more appropriate timeframes to respond to an emergency/natural disaster;
- A rewrite of the legislation at the “national level” will be able to address the short comings of the current RMA timeframes;
- This addresses the issue nationally at the lowest cost and highest net benefit (as opposed to individual councils undertaking plan changes).

10.3 What is in scope/ out of scope

10.3.1 Within scope

- Minor amendments to the temporary activity controls relating to noise limits, duration of activities and traffic to provide some additional flexibility; and
- A new noise rule for coastal temporary activities.

10.3.2 Out of scope

- Providing for freedom camping as a permitted activity in the relevant Open Space zones (to be the subject of a separate plan change evaluation);
- Changes to the Trading and Events in Public Places (TEPP) Bylaw;
- Changes to the Auckland Council’s Freedom Camping Bylaw;
- Changes to legislation (although this paper could form the basis for part of a wider Auckland Council submissions);
- Any “global resource consent” application; and
- Establishing whether existing use rights exist for any event.

Section 11.0 Conclusion

The proposed plan change evaluation addresses issues raised in relation to temporary activities.

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.

A section 32 analysis of options has been undertaken in accordance with section 32(1)(b) and (2) of the RMA.

The options considered and the recommended options are:

**Issue 1 – Temporary Activity Standards**

Option 1 – No change/status quo

Option 2 – Amendments to the standards relating to duration of activities, traffic management and the definition of Anzac Day in the Pukekohe Park precinct to provide greater flexibility (Recommended)

Option 3 – Global resource consent

**Issue 2 – Sites of Significance to Mana Whenua Overlay**

Option 1 – No change/status quo

Option 2 – Enable all temporary activities as a permitted activity on sites of significance to mana whenua but subject to engagement with iwi and approval (if appropriate) through the event permit process

Option 3 – Enable certain temporary activities as permitted activities e.g. those that involve no buildings or structures, food preparation, toilet facilities etc. e.g. capping ceremony (Aotea Square), parades (Queen Street). Remainder require resource consent
Option 4 – “Global” resource consent (Recommended)

Option 5 – Rely on existing use rights for certain long held activities (but only if the scale of these activities remains the same or similar)

**Issue 3 – Coastal Temporary Activities**

Option 1 – No change/status quo

Option 2 – Plan change to adding an additional noise standard in E40 for activities that generate noise but are not noise events (Recommended)

**Issue 4 – Temporary Emergency Activities**

Option 1 – No change/status quo – rely on the provisions of the Resource Management Act 1991 (Recommended)

Option 2 – Plan change to specifically provide for temporary emergency activities as a permitted activity, under the temporary activity provisions.

These options are considered to best achieve Part 2 of the Resource Management Act 1991 and the purpose or objectives of relevant national and regional acts and/or planning documents. These include:

- New Zealand Coastal Policy Statement 2010;
- Hauraki Gulf Marine Park Act 2000
- Waitakere Ranges Heritage Area Act 2008
- Maori Plan 2017
- Auckland Plan 2018; and
- Auckland Unitary Plan 2016

**List of Attachments**

<table>
<thead>
<tr>
<th>Attachment</th>
<th>Name of Attachment</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>Information Used</td>
</tr>
<tr>
<td>A2</td>
<td>Examples of temporary activities requiring resource consent</td>
</tr>
<tr>
<td>A3</td>
<td>Auckland Unitary Plan Evidence</td>
</tr>
</tbody>
</table>
Attachment 1 - Information Used

The list of reports, documents and evidence that have been used in the development of this section 32 report are listed below:

Table 11: Information Used

<table>
<thead>
<tr>
<th>Name of document, report, plan</th>
<th>How did it inform the development of the plan change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unitary Plan evidence</td>
<td></td>
</tr>
<tr>
<td>The Maori Plan 2017</td>
<td>Identifies issues of significance to Maori in Tamaki Mākaurau</td>
</tr>
<tr>
<td>Auckland Plan 2050 (refresh) 2018</td>
<td>A refresh of Auckland’s high level strategic plan – contains directives and focus areas that are relevant to open space and recreation. Used to assess the appropriateness of the recommended option.</td>
</tr>
<tr>
<td>Auckland Unitary Plan 2016</td>
<td>Relevant sections of the Unitary Plan are used to assess the appropriateness of the recommended option. Evidence presented to the Independent Hearing Panel was used to provide background to some of the issues.</td>
</tr>
<tr>
<td>The Trading and Events in Public Places Bylaw 2015, Film Auckland Protocol 2019</td>
<td>Relevant sections of the bylaw &amp; protocol are used to assess the appropriateness of the recommended option.</td>
</tr>
</tbody>
</table>
Attachment 2 - Examples of Temporary Activities Requiring Resource Consent

(to be inserted)
Attachment 3 – Unitary Plan Evidence

4.2.1 Choi Trenouth’s Evidence (on behalf of Auckland Council)

The relevant evidence on the topic of temporary activities and Sites and Places of Significance to Mana Whenua is:

Only 61 SSMW are identified in the PAUP reflecting 46 legacy sites and 15 additional sites nominated through feedback to the March 2013 Draft Auckland Unitary Plan. These sites are identified as significant and the policy approach seeks to avoid significant adverse effects on the values and associations of Mana Whenua with these sites.

Protection for SSMW is achieved through the notified rules by requiring resource consent for most activities as a discretionary activity on or within 50m of a SSMW, with exceptions provided for minor activities as permitted.

Temporary activities

13.13 The notified provisions identified temporary activities that include toilets, changing rooms or land disturbance on SSMW identified as a site exception in Appendix 4.1 as a restricted discretionary activity. The intention of the provisions is to provide for a lesser activity status for those temporary activities on SSMW where the effects relate to intangible effects because the landscape is either highly modified or no archaeology exists.

13.14 Temporary activities are primarily managed by Auckland-wide provisions across all zones in Chapter H6.5. Generally activities are permitted or restricted discretionary subject to specified time periods, traffic and noise controls. The SSMW overlay overrides the Auckland-wide provisions.

13.15 Relocation of the earthworks provisions into Chapter H4.2 has resulted in a consequential change that requires the deletion of the earthworks part of the rule, leaving only the toilets and changing rooms in the Activity table in Chapter J5.1.

13.16 The proposed amendment to address the consequential change for temporary activities was discussed in mediation and was generally supported by most parties. However, IMSB raised concern at the mediation that effects on values by temporary activities other than toilets also needed to be considered, including for example food preparation and eating. IMSB was of the view that the temporary activity rule relates to all aspects of a temporary activity and not just those that include toilets and changing rooms. IMSB therefore preferred the notified wording of the activity, which I have reflected in the track changes in Appendix B.

13.17 In my opinion the intention of the notified temporary activity rule was clearly to manage only those temporary activities that include toilets and changing rooms. Temporary activities on all other SSMW were not specifically identified because the intention was that these would be picked up under the activities relating to buildings and earthworks, effectively being a discretionary activity.

13.18 I have considered the issues raised and I propose changes to apply the temporary activity rule to all sites, not just site exceptions, to provide greater clarity. I consider a restricted discretionary status for temporary activities that include toilets and changing rooms to be appropriate because it is consistent with the overall approach to temporary activities in
the Auckland-wide provisions. As a restricted discretionary activity, the CIA process will be required, providing the opportunity for Mana Whenua to recommend conditions to manage the cultural impacts of locating toilets and changing rooms on SSMW. The earthworks associated with temporary activities are discussed in my primary evidence to Topic 041. 13.19 Given that temporary activities generally occur on public land, I consider it appropriate for the broader concerns of IMSB to be addressed through management plans and agreements with the relevant Council Department or Council Controlled Organisation to enable site specific responses. In my opinion a resource consent process is not the most efficient and effective way of addressing the effects on Mana Whenua values for temporary activities that are often permitted by the Auckland-wide provisions and by their nature have temporary effects. This in my view is consistent with RPS B5.4 Policy 4, which requires the temporary nature of the adverse effect to be taken into account.

4.2.2 Phillip Mitchell’s Evidence (On behalf of the IMSB)
The relevant evidence on the topic of temporary activities and Sites and Places of Significance to Mana Whenua is:
5.14 I support most of the SSMW provisions contained in Council’s strikethrough version. However, there are some provisions on which I disagree, and which I consider require amendment. They include:
(a) Minor changes to Policy 2 to clarify that it does not fetter the clear policy direction in Policy 1 and 1A that certain adverse effects be avoided.
(b) The deletion of the rule which requires resource consent for a change of activities within a SSMW, and the breadth of activities captured by the Temporary Activities rule,
(c) The deletion of non-complying activity rules relating to land disturbance on a SSMW.
(d) The inclusion of new policies and rules for infrastructure.
5.24 With respect to the notified Temporary Activity rule, Ms Trenouth has deleted it, and replaced it with two rules, one addressing land disturbance (in the earthworks chapter) and the following rule addressing the Temporary Activity itself, in the SSMW chapter:

| Temporary activities where the activity involves toilets (including portaloos) or changing facilities | RD |

5.25 As outlined in paragraph 5.19 it is apparent that there are numerous Temporary Activities that could have significant adverse effects on the values and associations of Mana Whenua with SSMW. Only managing toilets and changing facilities (as Ms Trenouth’s rule does) is going to be of limited effectiveness in protecting the values and associations of Mana Whenua with SSMW from significant adverse effects.

5.26 In my view what is needed is for the owner / occupier of land within a SSMW to put together a set of protocols / conditions in consultation with Mana Whenua, for how temporary activities should be undertaken in those areas (identifying areas where cooked food will not be taken, toilets will not be placed, acceptable signage etc.). The question is to what extent rules in the PAUP need to require a resource consent to ensure that process happens.
5.27 I consider that the simplest way is to have restricted discretionary activity status for all Temporary Activities on SSMW, with discretion restricted to effects on the values and associations of Mana Whenua with the SSMW. I have made amendments to do this in my strikethrough version of the rule.
Te take mō te pūrongo

Purpose of the report
1. To note the progress on the forward work programme appended as Attachment A.
2. To receive a summary and provide a public record of memos or briefing papers that have been held or been distributed to committee members.

Whakarāpopototanga matua

Executive summary
3. This is a regular information-only report which aims to provide greater visibility of information circulated to committee members via memo/briefing or other means, where no decisions are required.
4. The following information items are attached:

<table>
<thead>
<tr>
<th>Information Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auckland Monthly Housing Update – August 2020</td>
</tr>
</tbody>
</table>

5. The following memoranda have sent:

<table>
<thead>
<tr>
<th>Date</th>
<th>Memorandum</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/8/2020</td>
<td>Passing of the Infrastructure Funding and Financing Act</td>
</tr>
<tr>
<td>12/8/2020</td>
<td>Urban Development Act</td>
</tr>
<tr>
<td>28/8/2020</td>
<td>Auckland Council's Strategic Approach to Groundwater</td>
</tr>
</tbody>
</table>

6. These documents can be found on the Auckland Council website, at the following link:
   http://infocouncil.aucklandcouncil.govt.nz/
   - at the top left of the page, select meeting/Te hui “Planning Committee” from the drop-down tab and click “View”;
   - under ‘Attachments’, select either the HTML or PDF version of the document entitled ‘Extra Attachments’.

7. Note that, unlike an agenda report, **staff will not be present to answer questions about the items referred to in this summary**. Planning Committee members should direct any questions to the authors.
Ngā tūtohunga
Recommendation/s
That the Planning Committee:

a) note the progress on the forward work programme appended as Attachment A of the agenda report

b) receive the Summary of Planning Committee information items and briefings – 3 September 2020.

Ngā tāpirihanga
Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Forward Work Programme</td>
<td>211</td>
</tr>
<tr>
<td>B</td>
<td>Auckland Monthly Housing Update – August 2020 (Under Separate Cover)</td>
<td></td>
</tr>
<tr>
<td>C</td>
<td>Auckland Council and Crown Auckland (housing and urban growth) Joint Work Programme – progress update (Under Separate Cover)</td>
<td></td>
</tr>
<tr>
<td>D</td>
<td>Passing of the Infrastructure Funding and Financing Act (Under Separate Cover)</td>
<td></td>
</tr>
<tr>
<td>E</td>
<td>Urban Development Act (Under Separate Cover)</td>
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<tr>
<td>G</td>
<td>Auckland Council’s Strategic Approach to Groundwater (Under Separate Cover)</td>
<td></td>
</tr>
</tbody>
</table>

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Duncan Glasgow - Kaitohutohu Mana Whakahaere / Governance Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Megan Tyler - Chief of Strategy</td>
</tr>
</tbody>
</table>
## Kōmiti Whakarite Mahere / Planning Committee
### Forward Work Programme 2020

This committee guides the physical development and growth of Auckland through a focus on land use, transport and infrastructure strategies and policies relating to planning, growth, housing and the appropriate provision of enabling infrastructure, as well as programmes and strategic projects associated with these activities. The full terms of reference can be found [here](#).

<table>
<thead>
<tr>
<th>Area of work and Lead Department</th>
<th>Reason for work</th>
<th>Committee role (decision and/or direction)</th>
<th>Expected timeframes to come to committee in 2020 Highlight the month(s) this is expected to come to committee</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Unitary Plan Monitoring including Climate response (led by Plans and Places)</strong></td>
<td></td>
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</tr>
<tr>
<td>Auckland Unitary Plan Monitoring Report Plans and Places</td>
<td>Statutory requirement under section 35 of the Resource Management Act to provide a comprehensive monitoring report five years from date the Auckland Unitary Plan became ‘operative in part’ (<a href="#">i.e. by November 2021</a>). This work will consist of interim monitoring reports ahead of November 2021. Examples of monitoring topics include urban growth and form, quality built environment, historic heritage, indigenous biodiversity, Maori economic, social and cultural development, natural hazards (including flooding) and climate change. This work may result in plan changes being recommended ahead of the review of the Auckland Unitary Plan in 2026.</td>
<td>Decisions required: Interim reports seeking committee feedback and decisions on possible plan changes ahead of the review of the Auckland Unitary Plan in 2026.</td>
<td>W</td>
</tr>
<tr>
<td>Enabling Rainwater Tanks Plan Change</td>
<td></td>
<td>Decisions required: committee delegated authority to approve notification of the plan change PLA/2020/47</td>
<td>C</td>
</tr>
<tr>
<td>Mandating the installation of rainwater tanks in certain situations – staff to report back to Planning Committee with options (April 2021)</td>
<td></td>
<td>Decisions required: committee to consider options and recommendations</td>
<td></td>
</tr>
<tr>
<td><strong>Strategic approach to post-Covid Auckland</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Strategic response to Covid-19 Chief Planning Office</td>
<td>Progress the COVID-19 strategic response discussion – workstreams and workshop date tbc</td>
<td>Decision required: to be confirmed</td>
<td></td>
</tr>
<tr>
<td><strong>Auckland Plan 2050</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auckland Plan 2050 Implementation and Monitoring Auckland Plan Strategy and Research</td>
<td>Six monthly implementation update</td>
<td>Decision required: Approving minor updates to the Plan to keep it up to date</td>
<td>C</td>
</tr>
<tr>
<td></td>
<td>Annual scorecard</td>
<td>Decision required: depends on outcomes of scorecard</td>
<td>C</td>
</tr>
<tr>
<td></td>
<td>Further work arising from the deep-dive</td>
<td>Decision required: depends on outcomes of deep-dive</td>
<td></td>
</tr>
<tr>
<td>Area of work and Lead Department</td>
<td>Reason for work</td>
<td>Committee role (decision and/or direction)</td>
<td>Expected timeframes</td>
</tr>
<tr>
<td>----------------------------------</td>
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</tr>
<tr>
<td><strong>Urban Growth and Housing</strong>&lt;br&gt;National Policy Statement on Urban Development&lt;br&gt;Chief Planning Office</td>
<td>The NPS UD was gazetted by the government on 20 July 2020 and comes into force on 20 August 2020 with ongoing timeframes for implementation. The purpose of the NPS UD is to require councils to plan well for growth and ensure a well-functioning urban environment for all people, communities and future generations</td>
<td><strong>Decision required:</strong> consider the significant policy and implementation issues that are presented by the NPS UD</td>
<td>W</td>
</tr>
<tr>
<td>Kainga Ora&lt;br&gt;Chief Planning Office</td>
<td>Ongoing Kainga Ora implementation issues and relationship management</td>
<td><strong>Decision required:</strong> to be confirmed</td>
<td>M</td>
</tr>
<tr>
<td>Crown Auckland Council Joint Work Programme&lt;br&gt;Chief Planning Office</td>
<td>Quarterly update on the Crown and Auckland Council Joint Work Programme on Urban Growth and Housing.</td>
<td><strong>Decision required:</strong> Receive update on JWP and any proposed changes to the workstreams following the Political Governance meeting in February 2020.</td>
<td>M</td>
</tr>
<tr>
<td>Affordable Housing&lt;br&gt;Chief Planning Office</td>
<td>To progress the resolution (PLA /2019/17) on Auckland Council’s role and position on affordable housing in phases: Progress report and approach to advice</td>
<td><strong>Decision required:</strong> receive Affordable Housing progress update and insights</td>
<td>C</td>
</tr>
<tr>
<td>Consider options</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Transport Strategy Programme</strong> (led by Auckland Plan Strategy &amp; Research, CPO in conjunction with others)**&lt;br&gt;ATAP Refresh</td>
<td>Including climate lens and monitoring. Terms of reference to be decided. Indicative timing only</td>
<td><strong>Decision required:</strong> tbc</td>
<td>C C (tbc)</td>
</tr>
<tr>
<td>Terms of Reference endorsed at Emergency Committee&lt;br&gt;14 May 2020 EME/2020/62</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area of work and Lead Department</td>
<td>Reason for work</td>
<td>Committee role (decision and/or direction)</td>
<td>Expected timeframes</td>
</tr>
<tr>
<td>----------------------------------</td>
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<td>---------------------------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td><strong>Future Connect and Regional Land Transport Plan</strong></td>
<td>Including climate lens and monitoring. Provide direction for RLTP 2021-2031. Phase 1 of this process, being run by AT, is called ‘Future Connect’ and involves definition of focus areas for planning and investment and ranking of issues. AT’s focus is the period 2028-2031 and future priorities.</td>
<td><strong>Decision required:</strong> Much of the committee work in relation to the RLTP, which will follow Future Connect will take place in early 2021. Provision is made here for a possible direction-setting workshop towards the end of 2020.</td>
<td><strong>W</strong></td>
</tr>
<tr>
<td><strong>Congestion Question</strong></td>
<td>Congestion question project final report. Next steps known post-election 2020.</td>
<td><strong>Decision required:</strong> project updates and reporting</td>
<td><strong>C (tbc)</strong></td>
</tr>
<tr>
<td><strong>City Centre to Mangere light rail</strong></td>
<td>Subject to Cabinet consideration. Next steps known post-election 2020.</td>
<td><strong>Decision required:</strong> subject to Cabinet consideration</td>
<td></td>
</tr>
<tr>
<td><strong>Additional Harbour Crossing</strong></td>
<td>The business case is being finalised. The team is planning to provide a progress update to committee when complete. The business case is a joint piece of work between Waka Kotahi NZ Transport Agency, Auckland Transport (AT) and Auckland Council.</td>
<td><strong>Decision required:</strong> consideration of business case</td>
<td></td>
</tr>
</tbody>
</table>
### Attachment A

**Area of work and Lead Department**

<table>
<thead>
<tr>
<th>Item 12</th>
<th>Reason for work</th>
<th>Committee role (decision and/or direction)</th>
<th>Expected timeframes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hamilton to Auckland High Speed Rail business case</td>
<td>Status update to be confirmed.</td>
<td>Decision required: to be confirmed</td>
<td>Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec</td>
</tr>
<tr>
<td>Upper North Island Supply Chain Strategy work programme</td>
<td>Engagement with Ministers and engagement with the work underway ahead of report back to Cabinet (previously scheduled for May 2020). Next steps known post-election 2020.</td>
<td>Decision required: to be confirmed</td>
<td>Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec</td>
</tr>
<tr>
<td>Infrastructure Strategy Auckland Plan Strategy &amp; Research</td>
<td>30 Year Infrastructure Strategy – strategic insights and direction (for subsequent referral to Finance Committee – forms part of LTP)</td>
<td>Decision required: timeframe and decisions to be confirmed in line with LTP</td>
<td>Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec</td>
</tr>
<tr>
<td>Review of Schedule 10 Notable Trees Schedule Plans and Places</td>
<td>Environment and Climate Change Committee noted (resolution ECC/2020/00) that staff will consider the timing of a full review of Schedule 10 – Notable Trees in the context of resourcing constraints and priorities and report back to Planning Committee.</td>
<td>Decision required: consider a full review of Schedule 10 Notable Trees Schedule</td>
<td>Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec</td>
</tr>
<tr>
<td>Making Plan Changes Operative Plans and Places</td>
<td>Statutory requirement under the Resource Management Act to make plan council and private changes operative once the decision on the plan change is made and any appeals are resolved.</td>
<td>Decision required: Make plan changes operative.</td>
<td>Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec</td>
</tr>
<tr>
<td>Private Plan Changes Plans and Places</td>
<td>Private plan change requests not dealt with under staff delegation. These will be brought to committee as and when required.</td>
<td>Decision required: Accept/adopt/reject/deal with the request as a resource consent application.</td>
<td>Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec</td>
</tr>
<tr>
<td>Plan Change – Residential Plans and Places</td>
<td>Monitoring of the Auckland Unitary Plan has indicated that some improvements can be made to the provisions for residential development.</td>
<td>Decision required: Provide direction on the scope and timing of a potential plan change.</td>
<td>Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec</td>
</tr>
<tr>
<td>Plan Change – Onehunga Wharf Panuku and Plans and Places</td>
<td>Present draft plan change to committee prior to seeking public feedback. Will seek committee accept plan change as a public plan change in early 2021.</td>
<td>Decision required: Presentation of draft plan change prior to public consultation.</td>
<td>Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec</td>
</tr>
<tr>
<td>Area of work and Lead Department</td>
<td>Reason for work</td>
<td>Committee role (decision and/or direction)</td>
<td>Expected timeframes Highlight the month(s) this is expected to come to committee in 2020</td>
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<tr>
<td>Plans Change – Events on Public Space Plans and Places</td>
<td>Enable events on public space that have obtained an event permit to be undertaken more easily.</td>
<td><strong>Decision required:</strong> Endorsement of proposed plan change for notification.</td>
<td><strong>C</strong></td>
</tr>
<tr>
<td>Auckland Housing Programme – area plans and potential plan changes Plans and Places</td>
<td>Kainga Ora has prepared a spatial development strategy for the Mt Roskill and Mangere areas. These may need area plans for consultation with the community and local boards. Some plan changes may come out of this work for parts of these areas.</td>
<td><strong>Decision required:</strong> Endorsement of draft area plans for public consultation.</td>
<td><strong>C</strong></td>
</tr>
<tr>
<td>Converting Road Reserve, Unformed Legal Roads &amp; Pedestrian Accessways to Open Space Plans and Places</td>
<td>Scoping report identifying opportunities to offer unutilised areas of road reserve and unformed legal roads back to Māori former landowners</td>
<td><strong>Decision required:</strong> Consider recommended approach.</td>
<td><strong>C</strong></td>
</tr>
<tr>
<td>Item 12</td>
<td>Lead Department</td>
<td>Area of work</td>
<td>Committee role (decision and/or direction)</td>
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<tr>
<td>CPO</td>
<td>Kāinga Ora - Homes and Communities second Bill</td>
<td>Approval process for council’s submission</td>
<td>Political working group established to develop and approve submission by Planning Committee 5 December 2019 PLA/2019/92</td>
</tr>
<tr>
<td>Auckland Plan Strategy &amp; Research, CPO</td>
<td>Submission on the Land Transport (Rail) Legislation Bill</td>
<td>Review and approve council’s submission</td>
<td>Council’s submission approved by Planning Committee 4 February 2020 PLA/2020/9</td>
</tr>
<tr>
<td>Urban Growth and Housing</td>
<td>Submission on the Urban Development Bill</td>
<td>Review and approve council’s submission</td>
<td>Council’s submission approved by Planning Committee 4 February 2020 PLA/2020/10</td>
</tr>
<tr>
<td>CPO</td>
<td>Submission on the draft National Policy Statement Indigenous Biodiversity</td>
<td>Review and approve council’s submission</td>
<td>Council’s submission approved by Planning Committee 5 March 2020 PLA/2020/15</td>
</tr>
<tr>
<td>Auckland Plan Strategy and Research</td>
<td>Auckland Plan 2050 Implementation and Monitoring</td>
<td>Receive an update on the Auckland Plan 2050 and the first Auckland Plan 2050 Three Yearly Progress report</td>
<td>Updates received by Planning Committee 5 March 2020 PLA/2020/16</td>
</tr>
<tr>
<td>Auckland Design Office</td>
<td>City Centre Masterplan Refresh adoption</td>
<td>Consider and adopt refreshed City Centre Masterplan</td>
<td>City Centre Masterplan Refresh adopted by Planning Committee 5 March 2020 PLA/2020/17, PLA/2020/18, PLA/2020/19</td>
</tr>
<tr>
<td>Financial Strategy and Planning</td>
<td>Submission on the Infrastructure Funding and Financing Bill</td>
<td>Review and approve council’s submission</td>
<td>Council’s submission approved by Planning Committee 5 March 2020 PLA/2020/20</td>
</tr>
<tr>
<td>DPO</td>
<td>Shovel-ready projects for Central Government</td>
<td>Agreement on list for submission to central government</td>
<td>Process agreed at Emergency Committee 9 April 2020 EME/2020/13</td>
</tr>
<tr>
<td>CPO</td>
<td>Submission on the Accessible Streets Regulatory Package</td>
<td>Review and approve council’s submission</td>
<td>Council’s submission approved by Emergency Committee 16 April 2020 EME/2020/23</td>
</tr>
<tr>
<td>Silverdale West Dairy Flat Structure Plan</td>
<td>Consider and approve the final structure plan</td>
<td>Final structure plan approved by Governing Body 30 April 2020 GB/2020/38</td>
<td></td>
</tr>
<tr>
<td>Auckland Plan Strategy &amp; Research, CPO</td>
<td>NZTA Innovating Streets Fund</td>
<td>Approval of council approach and submission</td>
<td>Endorsed first round of funding and approved process for developing the second round at Emergency Committee 7 May 2020 EME/2020/55</td>
</tr>
<tr>
<td>CPO</td>
<td>Government Policy Statement on Land Transport 2021-2031, and draft National Rail Plan</td>
<td>Approval of second round funding bids to NZTA</td>
<td>Approved Council and AT proposed list of projects for further development and refining, and authority delegated to approve the final submission, at Planning Committee 4 June 2020 PLA/2020/30</td>
</tr>
<tr>
<td>CPO</td>
<td>Government Policy Statement on Land Transport 2021-2031, and draft National Rail Plan</td>
<td>Approve council submission on GPS and Draft national rail plan</td>
<td>Council’s submission approved by Emergency Committee 7 May 2020 EME/2020/56</td>
</tr>
<tr>
<td>Lead Department</td>
<td>Area of work</td>
<td>Committee role (decision and/or direction)</td>
<td>Decision</td>
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<tr>
<td>Plans and Places</td>
<td>National Environmental Standards on Air Quality – council submission</td>
<td>Approve council submission</td>
<td>Council’s draft submission endorsed, and authority delegated to approve final submission, Planning Committee 4 June 2020 PLA/2020/31</td>
</tr>
<tr>
<td>Chief Planning Office</td>
<td>Resource Management Act Framework Fast-track consenting legislative change</td>
<td>Approve council’s submission</td>
<td>Authority delegated to approve council’s submission on the COVID-19 Recovery (Fast-track Consenting) Bill, at Planning Committee 4 June 2020 PLA/2020/32</td>
</tr>
<tr>
<td>Plans and Places</td>
<td>Strategic Land Use Frameworks for Dairy Flat and Kumeu Huapai Future Urban Areas</td>
<td>Approval to prepare strategic land use frameworks for Wainui Silverdale Dairy Flat and Kumeu-Huapai.</td>
<td>Approved preparation of spatial land use frameworks, and established a Political Working Party to approve the draft spatial land use frameworks, at Planning Committee 2 July 2020 PLA/2020/37</td>
</tr>
<tr>
<td>Plans and Places</td>
<td>Plan Change - Whenuapai</td>
<td>Decision required: Approve next steps.</td>
<td>Next steps approved in confidential section of Planning Committee 2 July 2020 PLA/2020/44</td>
</tr>
</tbody>
</table>
Exclusion of the Public: Local Government Official Information and Meetings Act 1987

That the Planning Committee

a) exclude the public from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

<table>
<thead>
<tr>
<th>C1</th>
<th>CONFIDENTIAL: Auckland Unitary Plan (Operative in Part) – Proposed Plan Change 41 – Ōkura Precinct – Update</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reason for passing this resolution in relation to each matter</td>
<td>Particular interest(s) protected (where applicable)</td>
</tr>
<tr>
<td>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</td>
<td>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege. In particular, the report discusses current proceedings in the Environment Court and High Court.</td>
</tr>
</tbody>
</table>