

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

**Date:** Thursday, 10 April 2025  
**Time:** 10.00am  
**Meeting Room:** Reception Lounge  
**Venue:** Auckland Town Hall  
301-305 Queen Street  
Auckland

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## Te Komiti mō te Kaupapa Here me te Whakamahere / Policy and Planning Committee

### OPEN AGENDA

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#### MEMBERSHIP

<b>Chairperson</b>	Cr Richard Hills	
<b>Deputy Chairperson</b>	Cr Angela Dalton	
<b>Members</b>	Houkura Member Edward Ashby	Cr Mike Lee
	Cr Andrew Baker	Cr Kerrin Leoni
	Cr Josephine Bartley	Cr Daniel Newman, JP
	Mayor Wayne Brown	Cr Greg Sayers
	Cr Chris Darby	Deputy Mayor Desley Simpson, JP
	Cr Julie Fairey	Cr Sharon Stewart, QSM
	Cr Alf Filipaina, MNZM	Cr Ken Turner
	Cr Christine Fletcher, QSO	Cr Wayne Walker
	Cr Lotu Fuli	Cr John Watson
	Houkura Member Hon Tau Henare	Cr Maurice Williamson
	Cr Shane Henderson	

(Quorum 11 members)

**Sandra Gordon**  
Kaitohutohu Mana Whakahaere Matua / Senior  
Governance Advisor

**7 April 2025**

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**1 Ngā Tamōtanga | Apologies**

**2 Te Whakapuaki i te Whai Pānga | Declaration of Interest**

**3 Te Whakaū i ngā Āmiki | Confirmation of Minutes**

Click the meeting date below to access the minutes.

That the Policy and Planning Committee:

- a) whakaū / confirm the ordinary minutes of its meeting, held on [Thursday, 13 March 2025](#) as a true and correct record.

**4 Ngā Petihana | Petitions**

**5 Ngā Kōrero a te Marea | Public Input**

**6 Ngā Kōrero a te Poari ā-Rohe Pātata | Local Board Input**

**6.1 Local Board Input - Aotea/Great Barrier Local Board - Hauraki Gulf Islands section of the Auckland District Plan - Proposed Plan Change - Helipads**

**Te take mō te pūrongo  
Purpose of the report**

1. To address the committee regarding the Hauraki Gulf Islands section of the Auckland District Plan - Proposed Plan Change – Helipads.

**Whakarāpopototanga matua  
Executive summary**

2. Aotea/Great Barrier Local Board Chairperson Izzy Fordham will address the Policy and Planning Committee.
3. The Local Board Input relates to Item 8 - Hauraki Gulf Islands section of the Auckland District Plan - Proposed Plan Change – Helipads.

**Ngā tūhonga  
Recommendation/s**

That the Policy and Planning Committee:

- a) whiwhi / receive Aotea/Great Barrier Local Board input regarding the Hauraki Gulf Islands section of the Auckland District Plan - Proposed Plan Change – Helipads whakamihī / thank the local board for their attendance.

## 6.2 Local Board Input - Waiheke Local Board - Hauraki Gulf Islands section of the Auckland District Plan - Proposed Plan Change - Helipads

### Te take mō te pūrongo

#### Purpose of the report

1. To address the committee regarding the Hauraki Gulf Islands section of the Auckland District Plan - Proposed Plan Change – Helipads.

### Whakarāpopototanga matua

#### Executive summary

2. Waiheke Local Board Chairperson Cath Handley will address the Policy and Planning Committee.
3. The Local Board Input relates to Item 8 - Hauraki Gulf Islands section of the Auckland District Plan - Proposed Plan Change – Helipads.

### Ngā tūtohunga

#### Recommendation/s

That the Policy and Planning Committee:

- a) whiwhi / receive Waiheke Local Board input regarding the Hauraki Gulf Islands section of the Auckland District Plan - Proposed Plan Change – Helipads whakamihi / thank the local board for their attendance.

## 7 Ngā Pakihi Autaia | Extraordinary Business

## Hauraki Gulf Islands section of the Auckland District Plan - Proposed Plan Change - Helipads

File No.: CP2025/04104

Item 8

### Te take mō te pūrongo

#### Purpose of the report

1. To seek approval for public notification of a proposed plan change to the Auckland Council District Plan - Hauraki Gulf Islands section (HGI Plan) Rule 13.8.2 Restricted Discretionary Activities (Helipads).

### Whakarāpopototanga matua

#### Executive summary

2. In recent years concerns were raised at the (then) Planning Committee and Planning, Environment and Parks Committee with regard to the actual and potential noise effects from helicopters due to an increasing number of helipad resource consents being approved on Waiheke and Aotea/Great Barrier Islands. Reports on planning, resource consenting and compliance monitoring were presented to the committees and in 2023 a change was made to amend the HGI Plan to incorporate National Planning Standard 15 for the measurement of helicopter noise from a three-day rolling average to one day.
3. On 14 March 2024 the Planning Committee and Planning, Environment and Parks Committee resolved (resolution [PEPCC/2024/14](#)) to address matters related to community, iwi and environmental concerns and directed staff to prepare a plan change to amend Rule 13.8.2 of the HGI Plan to add the New Zealand Coastal Policy Statement (NZCPS) as a matter of discretion to be considered in helipad consent applications.
4. Since then, work has been carried out to prepare the plan change. Consultation has taken place, including with the Waiheke and Aotea/Great Barrier local boards, iwi authorities, Civil Aviation Authority and various council departments.
5. A section 32 report (Attachment A to this report) has been prepared as required under the Resource Management Act 1991 (RMA) for the development of plan changes. The s32 report analyses the current provisions for helipads against the New Zealand Coastal Policy Statement 2010 (NZCPS) and against the relevant provisions of the Hauraki Gulf Marine Park Act 2000 (HGMPA). Based on the analysis the report goes on to consider four options to add the NZCPS to Rule 13.8.2 Restricted Discretionary Activities and to make a recommendation on the best option.
6. The recommended option is Option 3 Amendments to Restricted Discretionary Activity Rule 13.8.2 for Helipads – Matters for Discretion – adding reference to the NZCPS; and amending Assessment Criteria by adding a specific noise criterion for Māori heritage sites, ecological sites, and breeding sites/ nesting areas of threatened, endangered, or rare species - particularly indigenous species.
7. Rule 13.8.2 as amended by Option 3 (the Plan Change) is provided as Attachment B to this report. This option will clarify the need to consider the relevant policy directives in the NZCPS as applicable to the matters of discretion (noise and visual effects) for helipads as Restricted Discretionary Activities (RDA) in the consideration of effects.
8. Option 3 will deliver a focused plan change to better manage adverse effects of noise from helicopters on the natural and cultural environment.
9. The committee's approval is sought to publicly notify the recommended option (Option 3) as a Proposed Plan Change to the HGI Plan – 'Amendment to Rule 13.8.2 Restricted Discretionary Activity (Helipads)'.

## Ngā tūtohunga Recommendation/s

Item 8

That the Policy and Planning Committee:

- a) whakaae / approve the notification of proposed Plan Change 'Helipads – Restricted Discretionary Activities to the Hauraki Gulf Islands section of the Auckland Council District Plan – as outlined in Attachment B of the agenda report
- b) ohia / endorse the section 32 evaluation report contained as Attachment A of the agenda report
- c) tāpae / delegate to the General Manager of Planning and Resource Consents the authority to make minor amendments to the proposed plan change and/or Section 32 report prior to public notification.

## Horopaki Context

10. There are currently 64 helipads that are consented on Waiheke Island and 11 helipads that are consented on Aotea/Great Barrier Island.
11. Concern has been expressed by the community and local boards about the numbers of helipads and the impacts of noise from helicopters on residential amenity values and on ecological and cultural sites.
12. A number of reports and memorandum have been provided to the (then) Planning, Environment and Parks Committee detailing the rules of the HGI Plan and the AUP as they relate to establishment and operation of helipads and the jurisdictional matters on that issue (see sub-attachment C to Attachment A). These have confirmed that the current HGI Plan Rule for Helipads as a Restricted Discretionary Activity (Rule 13.8.2) is able to consider a wide range of effects and that, subject to early implementation of the National Planning Standard 15 ('NPS15') for helicopter noise measurement (removing use of a 3-day rolling average), the rule could be considered to provide an adequate effects assessment.
13. The recommendations in the reports and memorandum were that Rule 13.8.2 in the HGI Plan could be retained until the next review of the Auckland Unitary Plan (AUP) subject to early implementation of NPS15. It was identified that the adequacy of the assessment of effects under the existing rule and the high cost of plan changes indicated that use of the AUP review was the most effective and efficient process to investigate a comprehensive review of the approach to helipad management in the Hauraki Gulf for the future. This took into consideration that the HGI Plan will not be renewed outside of the AUP. It is intended that the Hauraki Gulf islands will be incorporated into the AUP through the AUP review.
14. Resolution [PEPCC/2023/48](#) of the committee (30 March 2023) acknowledged the AUP review commencing in 2026 as appropriate for undertaking any comprehensive review of the HGI Plan. As an interim measure, the committee also resolved to amend the HGI Plan to adopt the NPS15 early (removing use of the 3-day rolling average for helicopter noise measurement), together with further reporting on consents monitoring and improvements to the complaints processes relating to helicopter activity, and for development of consent processing guidelines.
15. The implementation of the resolution was reported on 20 December 2023. It confirmed that the NPS15 was incorporated into the HGI Plan on 20 April 2023; the process for reporting complaints about helicopter activity had been improved with amendments to the council's complaints webpage; and consent processing guidelines had been prepared. The guidelines cover all aspects of processing helipad consent applications including highlighting amenity values, ecological and cultural considerations.



16. The committee received a notice of motion from Councillor Mike Lee on 14 March 2024 seeking plan changes to the AUP and HGI Plan to introduce Prohibited Activity Status for helipads. The committee remained of the view that the AUP review was appropriate for a comprehensive review of the regulatory framework but noted helipad resource consent applications should be assessed against the New Zealand Coastal Policy Statement as a specific issue to be considered and addressed in the interim period.
17. The committee recognised that the NZCPS 2010 was gazetted after the HGI Plan had been notified so the HGI Plan was based on NZCPS1994 and the HGMPA s7 and 8. The committee considered this situation could have a bearing on the assessment of effects and resolved that a plan change to the HGI Plan Rule 13.8.2 Restricted Discretionary Activity be initiated to add the NZCPS to Restricted Discretionary Activities as a matter of discretion. On the 14 March 2024 the Planning, Environment and Parks Committee resolved ([PEPCC/2024/14](#)):  
*That the Planning, Environment and Parks Committee:*  
...
  - e) *noting the need to integrate the Hauraki Gulf Islands District Plan with the Auckland Unitary Plan, at a later date, but in the interim:*
    - i) *Direct staff to prepare a plan change to amend Rule 13.8.2 of the Hauraki Gulf Islands District Plan to add the NZ Coastal Policy Statement as a matter of discretion to be considered in helipad consent applications.*
18. Four options were developed in the context of the above and are summarised in the analysis and advice section and detailed in chapter four of Attachment A to this agenda report.

## Tātaritanga me ngā tohutohu Analysis and advice

19. An analysis of the directives contained in the NZCPS 2010 and HGMPA is included in the s32 report to identify the degree of alignment between the two. This investigation was carried out in light of the HGI Plan having been developed prior to the current NZCPS 2010 and therefore being based on the earlier version of the NZCPS and s 7 and 8 of the HGMPA.
20. The analysis identifies that there is a high level of correlation between directives of the NZCPS 2010 and the matters contained in HGMPA policies 7 and 8. This finding indicates that the provisions of the HGI Plan governing helipads, although prepared under the HGMPA, may be considered consistent with the NZCPS in its current form.

### Perceived Rule Weaknesses

21. The concerns raised by the Waiheke and Aotea/Great Barrier local boards and tangata whenua indicate there are areas of weakness in the assessment criteria of Rule 13.8.2 in relation to aspects of noise and visual effects from helipads, in particular the assessment of impacts to ecological and cultural sites, such that these effects are potentially overlooked.
22. The development of options was informed by these concerns and with consideration given to the appropriate trigger points in Rule 13.8.2 to clarify and raise awareness of the scope of the NZCPS in the consideration of effects for helipads as restricted discretionary activities.

### Four options

23. The following four options were investigated. An overview of each is provided below:

#### Option 1: Do nothing (Status quo)

24. Under Option 1, the council would not introduce any change to the Restricted Discretionary Activity provision - Rule 13.8.2 Restricted Discretionary activities.

25. This option recognises that the assessment of effects for a resource consent is undertaken in accordance with s104(1)(b)(ii) of the RMA and must have regard to the NZCPS in the consideration of effects.
26. This option continues to rely on s104 rather than introducing an 'up front' trigger within Rule 13.8.2 to raise awareness of the NZCPS policy directions that influence the scope of the assessment of effects.

**Option 2: Amendments to Restricted Discretionary Activity Rule 13.8 for Helipads – Matters for Discretion – ADD NZCPS as a NEW line item**

27. Option 2 involves amending the section of the Rule 13.8.2 titled 'Matters of Discretion' to add the NZCPS as a third matter of discretion.
28. A key drawback of this option is its introduction of very open-ended discretion in terms of the Matters of Discretion. This is unsuitable for the Matters of Discretion - which should place clear limits on the matters able to be considered (a necessary component of restricted activity status). Further to this, the NZCPS applied as a 'Matter of Discretion' would expand the matters of discretion significantly wider than noise and visual effects to include all aspects of amenity including consideration of character, landscape and general amenity.
29. The expanded discretion would be outside the scope of the current HGI Plan's policies which are very closely aligned to noise and visual effects and designed to ensure a balance of environmental and amenity outcomes with economic and transport outcomes. The s32 analysis highlights that this means there would be no policy backing for the consideration of issues that are unrelated to noise and visual effects.
30. This option creates an issue of lack of transparency in interpretation and implementation of the provisions as it potentially results in the Restricted Discretionary Activity functioning in a manner that is more akin to a Discretionary Activity status. This also has implications for the regulatory framework balance as a whole and would be a significant change in the approach that is not supported by the current objectives and policies.

**Option 3: Amendments to Restricted Discretionary Activity Rule 13.8 for Helipads – Matters for Discretion – adding reference to the NZCPS; AND amending Assessment Criteria by adding a specific noise criterion for Māori heritage sites, ecological sites, and breeding sites/ nesting areas of threatened, endangered, or rare species - particularly indigenous species**

31. Option 3 involves amendments to give further clarity to the existing matters of discretion (noise and visual) through the addition of a cross reference to the NZCPS. The proposed cross reference to the NZCPS in the Matters of Discretion would signal in the Rule 13.8.2 provisions, that the scope of the assessment of these effects is undertaken in the context of the NZCPS.
32. The approach would provide readers of the district plan rules an 'up front' awareness of the influence of the NZCPS in the interpretation of effects and is considered an appropriate approach to apply given the concerns that the scope of consideration of effects provided under the NZCPS is potentially overlooked for helipad applications as Restricted Discretionary Activities.

**Option 4: Amendments to Restricted Discretionary Activity Rule 13.8 for Helipads – Matters of Discretion by adding “ecological effects” and “cultural heritage effects AND amending Assessment Criteria by adding a specific noise criterion Māori heritage sites, ecological sites, and breeding sites/ nesting areas of threatened, endangered, or rare species - particularly indigenous species**

33. Option 4 would amend the Matters of Discretion to add 'Cultural effects' and 'Ecological effects'. Amendments are also proposed to Rule 13.8.2 RDA Assessment Criteria (as per Option 3) to add a specific noise criterion for 'Māori heritage sites' and 'Sites of Ecological Significance and breeding sites/ nesting areas of threatened, endangered, or rare species - particularly indigenous species.

34. This option widens the matters of discretion and therefore has drawbacks arising from the widened scope of consideration – similar to Option 2. The widening of the matters of discretion is at odds with the mechanism of the Restricted Discretionary Activity status which requires clear limits on the matters of discretion able to be considered.

### Recommended option – Option 3

35. Having regard to the options assessment, the preferred option recommendation is Option 3.
- Option 3: Amendments to Restricted Discretionary Activity Rule 13.8 for Helipads – Matters for Discretion – adding reference to the NZCPS; AND amending Assessment Criteria by adding a specific noise criterion for Māori heritage sites, ecological sites, and breeding sites/ nesting areas of threatened, endangered, or rare species - particularly indigenous species*
36. In regard to subsections 32(1)(a) and (1)(b)(ii) of the RMA, Option 3 is considered the most appropriate way to achieve the objectives (purpose) of the proposed plan change and achieve the purpose of the RMA.
37. The addition of a specific criterion for noise assessment for Māori heritage sites, sites of ecological significance, and breeding sites/ nesting areas of threatened, endangered, or rare species - particularly indigenous species is considered the most appropriate, effective and efficient interim measure with highest benefit; least cost and least risk to recognise less obvious aspects of noise effects which are covered by the scope of the NZCPS.
38. Option 3 benefits plan users by raising awareness of the influence of the NZCPS in the assessment of the effects of noise, giving pause to think beyond the most obvious impacts. A key benefit will be the greater certainty and transparency of the scope of consideration of noise effects for users of the HGI Plan. Guidelines to the consents process for Helicopter resource consents are also available which provide greater commentary on the assessment of effects and specifically discuss cultural and ecological effects.
39. Option 3 is also consistent with the consent category of Restricted Discretionary Activity as it retains the specified limitations to the matters to be considered, albeit amended to provide greater transparency and awareness.
40. Option 3 is also considered to be the most appropriate option to implement prior to the review of the AUP commencing in 2026, which includes bringing the Hauraki Gulf Islands into the AUP, and which will provide for a comprehensive review of all provisions.

### Tauākī whakaaweawe āhuarangi Climate impact statement

41. Auckland Council's climate plan, Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan, has called for a 64 per cent reduction in transport emissions by 2030. The council's Transport Emissions Reduction Plan, August 2022 outlines concrete actions to dramatically reduce transport emissions by 2030. It identifies that aviation emissions account for 7 per cent of Auckland's emissions profile and sets a pathway for this to be reduced by 50 per cent by 2030. Commercial airlines are the highest contributor in the emissions profile and are the target category for aviation emission reduction. The level of helicopter activity represents a very small proportion in the emissions profile for Auckland.
42. Of relevance to this report, the proposed Plan Change would not give rise to an increase in the level of helicopter activity (and therefore aviation emissions) in Auckland.

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

43. Resource Consents and Compliance and Monitoring staff have contributed to the preparation of the draft s32 report and options analysis. A number of subject matter experts were consulted in the development process. This included council staff from units/departments across council including planning, cultural heritage, built heritage, resource consents, compliance and monitoring.

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

### Item 8

#### Local Boards

44. In May 2024 a memorandum was provided to the Waiheke Local Board and the Aotea/Great Barrier Local Board advising on the commencement of the plan change process and to seek the local boards' views on the development of the proposed plan change. The local board views in full are provided in Attachment C. A summary is provided below:

##### **Waiheke Local Board Resolution WHK/2024/50 12 June 2024 (summarised)**

- The Waiheke Local Board supports the addition of the NZCPS and cites the following policies as especially relevant to helipads
- Policy 2d (opportunities for Māori involvement in decision making),
- Policy 3 (proof of no harmful effects),
- Policy 7.1.d (identification of inappropriate areas),
- Policy 7.2 (cumulative effects)
- Policy 11 (protection of indigenous biological diversity),
- Policy 11.2 (effect on habitats during vulnerable life stages of indigenous species)
- Policy 13.2 (natural character may include experiential attributes)

##### **Aotea/Great Barrier Local Board - feedback dated 19 June 2024 (summarised)**

- The Aotea/Great Barrier Local Board supports the addition of the NZCPS
  - Seeks consideration of gaps in protection of sites and places of significance to mana whenua when creating options for the plan change;
  - Acknowledge that amenity values for Waiheke and Aotea are different and unique and different considerations may be required.
45. Staff met with Waiheke Local Board Chair Handley and Aotea / Great Barrier Local Board Chair Fordham in March to discuss the s32 evaluation report, options assessment and recommendations in this agenda report.
46. Chair Handley provided informal feedback via email confirming her preferences, summarised as follows:
- a) for the NZCPS to be explicitly included in its own right as a consideration in the list of matters of discretion but not restricted to noise effects, as helicopters have other impacts beyond noise on indigenous taxa.
  - b) for NZCPS matters to be listed as staff have proposed, but the list to be extended to broaden the effective capture of potential harm to indigenous taxa as proscribed in policy 11 of the NZCPS.
  - c) for the notional boundaries to be extended, because they only relate to noise and human occupation, to include (with respect to NZCPA considerations) the flight vectors of both incoming, and outgoing helicopter movements, and any secondary alternate flight paths proposed by applicants, or included in any consents.
47. Staff confirm that the proposed plan change achieves point b) and c). For reasons explained in the options assessment for Option 2 and Option 4, the proposed plan change does not support point a).

## Tauākī whakaaweawe Māori Māori impact statement

48. Consultation with mana whenua / iwi authorities involved two separate consultations. The first under clause 3(1)(d) of Schedule 1 of the RMA sought input at the preparation stage of the plan change. The second consultation under clause 4A of Schedule 1 of the RMA sought the views of mana whenua on the proposed draft plan change. This second consultation closed on 21 February 2025.
49. No comments were given by mana whenua from consultation under clause 3 or clause 4A of Schedule 1 of the RMA.
50. Previously expressed views of Ngāti Rehua Ngāti Wai ki Aotea Trust in a letter to the Aotea/Great Barrier Local Board, dated 21 February 2020, and attached to the Aotea/Great Barrier Local Board Notice of Motion of 22 March 2022 GBI/2022/25 are set out in the s32 Report Attachment A – part 3A).

## Ngā ritenga ā-pūtea Financial implications

51. The proposed plan change is budgeted for as part of the Planning and Resource Consents department work programme.

## Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

52. The s32 report (Attachment A) includes an analysis of risk from each of the four options analysed. This is part of the statutory requirements for development of a plan change.
53. Given that the plan change is intended to be an interim measure ahead of a full plan review, Option 3 which provides improved clarity without risk of creating misalignment with the current objectives and policy framework and is considered the most appropriate option with the least risk.

## Ngā koringa ā-muri Next steps

54. If the recommendation is approved the next step is public notification of the proposed Plan Change in accordance with Schedule 1 provisions of the Resource Management Act 1991. This would enable members of the Hauraki Gulf Islands and wider community to submit on the plan change, and present their submissions and any expert evidence at a hearing.

## Ngā tāpirihanga Attachments

No.	Title	Page
A⇒	s32 Report	
B⇒	Proposed Plan Modification	
C⇒	Local Board Views	

## Ngā kaihaina Signatories

Author	Alison Pye - Senior Policy Planner
Authorisers	John Duguid - General Manager Planning and Resource Consents Megan Tyler - Director Policy, Planning and Governance

**Item 8**

## Auckland Unitary Plan - On-site wastewater plan change

File No.: CP2025/04076

### Te take mō te pūrongo

#### Purpose of the report

1. To decide whether to prepare a council-initiated plan change to the Auckland Unitary Plan (Operative in Part) (AUP) to address issues with the provisions for on-site wastewater management.

### Whakarāpopototanga matua

#### Executive summary

2. Issues and opportunities for improvement have been identified with the AUP Chapter E5 provisions that manage on-site wastewater systems. This includes references to an outdated technical guidance document, standards that do not effectively support the Safe Septic compliance monitoring programme, and a lack of clarity about how upgrades to existing systems are managed.
3. Addressing the identified issues will support resource consenting processes and compliance work that is currently underway and funded by the Water Quality Targeted Rate. Addressing the issues also supports improved water quality, by applying improved standards for on-site wastewater system design, operation and maintenance, and by supporting compliance monitoring administration.
4. Changes to the AUP provisions were previously intended to be included in the freshwater plan change that is required to implement the National Policy Statement for Freshwater Management 2020 (NPS-FM). The NPS-FM plan change was due to be notified by the end of 2024, however, central government is now revising the NPS-FM. The statutory deadline for notifying the NPS-FM plan change has been extended to the end of 2027. This report therefore recommends the preparation of an on-site wastewater plan change to address the identified issues, in advance of the NPS-FM plan change. An on-site wastewater plan change can be notified in 2025.
5. Undertaking an on-site wastewater plan change will have a financial cost for the council, including an estimated \$170,000 cost for plan change notification, and an estimated \$50,000 cost for plan change hearings. These costs can be managed within the overall NPS-FM budget. An on-site wastewater plan change will allow for the timely resolution of the issues with the provisions. The changes support the cost-efficient use of resource consent and compliance staff time. They also support implementation of the council's new technical guidance for on-site wastewater management, which has already been developed by the council.
6. Work has not yet been undertaken to confirm whether additional changes to the same AUP provisions are required to give effect to the NPS-FM. There is a risk that some of the same standards could have additional amendments in the NPS-FM plan change. Any further changes arising from the NPS-FM are likely to be limited to area-specific controls, and only if required to address any significant water quality issues.
7. Preparation of the on-site wastewater plan change will involve consultation with mana whenua, local boards and stakeholders (such as the Rural Advisory Panel, and on-site system installers and technical experts). The draft plan change will then be brought back to the Policy and Planning Committee, to seek approval to notify the plan change.

## Ngā tūtohunga Recommendation/s

That the Policy and Planning Committee:

- a) whakaae / approve the preparation of a council-initiated plan change to the Auckland Unitary Plan (Operative in Part) to address issues with the provisions for on-site and small-scale wastewater management.
- b) tuhi tīpoka / note that staff will bring back a draft plan change to the Committee for approval to notify, once engagement with iwi and stakeholders has been undertaken.

## Horopaki Context

8. On-site wastewater systems provide wastewater treatment and disposal for residential and some commercial properties within the Auckland region not serviced by a wastewater network. Examples of on-site systems include septic tanks with soakage trenches, more modern systems that include secondary treatment before land application, and alternative technologies such as worm-based treatment units. These systems have the potential to affect water quality, public health and the region's amenity values through system failures and poor performance. Rules and standards for on-site wastewater management are contained in Chapter E5 of the AUP.
9. There are approximately 48,000 on-site wastewater systems in Auckland. The majority operate as permitted activities under the AUP, and compliance with the permitted activity standards is therefore essential to the AUP effectively achieving its intended water quality outcomes. The council has developed a compliance programme for on-site wastewater funded by the Water Quality Targeted Rate (the 'Safe Septic' programme).
10. It is noted that there is another item on the April Committee agenda relating to changes to the wastewater performance standards. This work relates to publicly owner wastewater networks and therefore does not apply to this report.

## The issues

11. It is proposed that the plan change would address three key issues with the current AUP provisions:
  - Referring to outdated technical information
  - Improving the operation and maintenance standards to support compliance monitoring
  - Clarifying how upgrades of existing systems are managed.
12. Under the Resource Management Act 1991 (the RMA), written material that deals with technical matters and is too large or impractical to include in a plan can be 'incorporated by reference' into a plan.<sup>1</sup> An amendment to, or replacement of, material incorporated by reference only has legal effect if a plan change is undertaken.<sup>2</sup>
13. The AUP standards for on-site wastewater management refer to the outdated technical guidance 'Auckland Regional Council Technical Publication No. 58 On-site Wastewater Systems: Design and Management Manual' (TP58) (third edition, published 2004).
14. Since the AUP became operative in part in 2016, the council has published new guidance for on-site wastewater management 'On-site Wastewater Management in the Auckland Region. January 2021. Guideline Document 2021/006. Version 1' (GD06). GD06 has been published online but marked 'draft', to avoid confusion in the interim period while the AUP contains references to TP58.

<sup>1</sup> RMA 1991, Schedule 1, Part 3, clause 30.

<sup>2</sup> RMA 1991, Schedule 1, Part 3, clause 31.



15. GD06 builds on and provides an update of the material covered in TP58. Relevant technical background and design approaches in TP58 have been retained in GD06, with further clarification on some essential design aspects, designed to align with current good practice and Auckland's specific needs. Updating the AUP to reflect GD06 will provide more clarity in the design specifications for on-site wastewater systems and reduce uncertainty for wastewater designers and landowners on when a resource consent is required. Clarifying the provisions will improve the cost efficiency of consenting by reducing the need for applicants to amend proposals.
16. GD06 has more stringent expectations for some design aspects. For example, the maximum slope gradient recommended for land application systems is more stringent in GD06 than TP58. The on-site wastewater plan change will therefore make some permitted activity standards more onerous and could trigger more resource consents.
17. To ensure the on-going performance of on-site wastewater systems, the AUP requires that those systems are regularly maintained. The AUP requires that records of on-site wastewater system maintenance actions must be retained and made available on-site for inspection by the council or their agents. This is inconsistent with the more efficient Safe Septic compliance monitoring approach, which is to request that owners send their maintenance records to the council. The existing standard leaves compliance monitoring practices open to challenge. Healthy Waters and Flood Resilience and Compliance staff have noted that the current AUP wording has created debates and inefficiency with some on-site system owners. Other opportunities to strengthen the operation and maintenance standards to support compliance monitoring and improve system performance have been identified, for example additional standards to prevent rainwater entering on-site wastewater systems.
18. Chapter E5 provides for existing discharges that were a permitted activity prior to the AUP becoming operative to continue as a permitted activity under rule E5.4.1(A2). It is not clear to what extent system 'upgrades' can be undertaken under rule E5.4.1(A2), as property owners may want to upgrade or replace all or part of an old system with a better performing one, while not seeking to change usage, loads or flows. The cost of a resource consent can deter owners undertaking upgrade works. Consideration is being given to how to clarify this rule and support property owners who would like to upgrade their system but may not meet all the standards required for a new system.

### Decision-making authority

19. The control of discharges of contaminants into or onto land, air, or water and discharges of water into water, is a function of regional councils under section 30(1)(f) of the RMA.
20. The council has the ability to amend the AUP through a plan change under Schedule 1 of the RMA.

### Links to the National Policy Statement for Freshwater Management programme

21. A plan change to AUP Chapter E5 has been discussed for several years, since the development of the updated guidance GD06.
22. Following the release of the NPS-FM, it was decided that changes to Chapter E5 could occur through the NPS-FM freshwater plan change.
23. The requirements of the NPS-FM mean that the existing AUP provisions for on-site wastewater need to be reviewed. This review will assess whether the provisions will achieve the environmental outcomes and targets that will be set as part of the National Objectives Framework process (e.g. for the attributes relating to *E. Coli* and nutrients), and to address mana whenua and community aspirations for healthy streams and lakes.

24. The NPS-FM plan change was originally required to be notified by the end of 2024. This statutory deadline has been extended by three years to 31 December 2027 (RMA s80A). The government is currently reviewing the NPS-FM and anticipates that the revised version will be finalised before the end of 2025. The council's NPS-FM programme is planning to undertake community consultation on a draft plan change that implements the revised NPS-FM in 2026, and then formally notify the plan change in 2027.
25. Work has not yet been undertaken to confirm whether additional changes to the same AUP provisions are required to give effect to the NPS-FM. There is a risk that some of the same standards could have additional amendments in the NPS-FM plan change. However, any further changes are likely to be limited to area-specific controls, and only if required to address any significant water quality issues.

## Tātaritanga me ngā tohutohu Analysis and advice

26. Amendments to the AUP are necessary to address the identified issues with Chapter E5 and can only be made through a plan change process.
27. The notification step in the plan change process is essential to inform the community of their ability to make a submission on a proposed plan change. The RMA requires that the notification process includes publishing a public notice and sending a copy of that notice to any person who is likely to be directly affected by the plan change.<sup>3</sup> It is up to the council to determine who is directly affected.
28. Three options have been identified regarding plan change timing and the notification of directly affected parties:
  - Option 1: Undertake a discrete on-site wastewater plan change, with notification to directly affected parties by post.
  - Option 2: Undertake a discrete on-site wastewater plan change, with notification to directly affected parties through the council's public channels (e.g. Our Auckland).
  - Option 3: Incorporate changes to Chapter E5 in the NPS-FM plan change in 2027 (notification process for directly affected parties still to be determined).
29. A discrete on-site wastewater plan change would attract additional costs for the council compared to incorporating it within a larger plan change to implement the NPS-FM. For either a discrete plan change or NPS-FM plan change, the costs are likely to be similar for the staff time related to plan change development related to addressing the identified issues. Undertaking an on-site wastewater plan change will result in costs to the council for the plan change notification and hearings processes.
30. Some rural addresses require courier delivery to receive post, which increases the cost of notifying by post. The cost of printing, collating and sending notification letters to property owners<sup>4</sup> with on-site wastewater systems, is estimated to be \$170,000.
31. Consideration was given to ways to minimise this cost, including sending the public notice by email or in combination with the rates mailout. The council cannot use email addresses that have been provided to the council for rates bills for purposes such as plan change notification, due to privacy implications. The rates team have advised that the rates mailout envelopes for 2025 are already at maximum capacity and cannot contain additional inserts. Inclusion in the rates process would also need to be timed to the instalment one mailout (i.e. in July 2025), as some ratepayers pay their rates in full in instalment one.

<sup>3</sup> RMA Schedule 1 Clause 5.

<sup>4</sup> The Ministry of Business, Innovation & Employment advise on the Building Performance website that maintaining an on-site wastewater system in safe working order is a landlord's responsibility. On that basis and in the interest of reducing cost, the public notice would be sent to property owners and not occupiers.

32. An assessment of the three options is set out in Table 1 below.

**Table 1: Options assessment for plan change timing and notification.**

<b>Impact rating key</b>	Positive ✓	Neutral -	Negative X
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Options	Financial	Reputational	Efficiency	Freshwater
<p><b>Option 1</b></p> <p><b>Undertake a discrete on-site wastewater plan change, with notification to directly affected parties by post.</b></p>	<p>X</p> <p>Cost of printing, collating and sending letters to property owners and/or occupiers with on-site wastewater systems. It is estimated to cost approximately \$170,000 to notify owners, or \$270,000 to notify owners and occupiers.</p> <p>There will be an additional cost for the hearings process.</p>	<p>-</p> <p>Notifying directly affected parties by post is a robust notification process.</p> <p>However, there is a reputational risk if further changes to Chapter E5 are made in the NPS-FM plan change.</p>	<p>-</p> <p>The inefficiencies with the existing provisions impacting consenting and compliance are addressed earlier under this option.</p> <p>However, there is a risk of inefficiency if further amendments are made through the NPS-FM plan change.</p>	<p>✓</p> <p>Consequential improvements for freshwater and coastal waters are delivered sooner.</p>
<p><b>Option 2</b></p> <p><b>Undertake a discrete on-site wastewater plan change, with notification to directly affected parties through council's public information channels (e.g., Our Auckland).</b></p>	<p>X</p> <p>Notification cost yet to be determined. Likely to be low cost.</p> <p>Additional cost for the hearings process.</p>	<p>X</p> <p>Reputational risk to council for not directly notifying affected parties e.g. if an owner or other person who feels directly affected does not see the public notice.</p> <p>There is also a reputational risk if further changes to Chapter E5 are made in the NPS-FM plan change.</p>	<p>-</p> <p>The inefficiencies with the existing provisions impacting consenting and compliance are addressed earlier under this option.</p> <p>However, there is a risk of inefficiency if further amendments are made through the NPS-FM plan change.</p>	<p>✓</p> <p>Consequential improvements for freshwater and coastal waters are delivered sooner.</p>

Options	Financial	Reputational	Efficiency	Freshwater
<b>Option 3</b> <b>Incorporate changes to Chapter E5 in the NPS-FM plan change in 2027 (notification process to be determined).</b>	<p>-</p> <p>Notification process and cost to be determined.</p> <p>No additional cost to the council if the on-site wastewater changes are included in the NPS-FM plan change.</p>	<p>X</p> <p>Reputational risk from not directly notifying affected parties remains, as notification unlikely to be by post due to the scale of notification that would be required.</p> <p>The delay in improvements to the operation and maintenance standards has a reputational risk for the Safe Septic on-site wastewater compliance monitoring programme.</p>	<p>-</p> <p>All potential amendments to Chapter E5 made in one plan change process.</p> <p>Delay in addressing inefficiencies with the existing provisions impacting resource consenting and compliance.</p> <p>Risk of further delays if the NPS-FM programme is delayed after the NPS-FM is revised, or if the NPS-FM plan change has a lengthy hearings process.</p>	<p>X</p> <p>Delay in consequential improvements for freshwater and coastal waters.</p>

### Discussion of options

33. Option 1 is the highest financial cost option. However, it would allow existing operational issues with Chapter E5 to be addressed in a timely matter. This will support staff processing resource consents as well as the Safe Septic compliance work that is underway and funded by the Water Quality Targeted Rate. Option 1 provides a notification process by post to directly affected parties. The issues to be addressed also have consequential benefits for freshwater management.
34. Option 2 does not involve letters to directly affected parties by post and so there is a risk that property owners will miss the opportunity to submit and will not feel properly consulted.
35. Option 3 has no additional costs to the council as the changes will be made through the NPS-FM plan change. Notification of the NPS-FM plan change is unlikely to be by post so some property owners may be unaware of the changes to the on-site wastewater rules. Option 3 means that there is a delay in addressing the operational issues with Chapter E5. There is also a risk of further delays if the NPS-FM programme is delayed (for example, due to delays in the revision of the NPS-FM by central government).
36. Option 1 is the recommended option.

### Tauākī whakaaweawe āhuarangi Climate impact statement

37. Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan recognises that our region is already experiencing the effects of a changing climate. Rainfall intensity is projected to increase in Auckland which could mean more intense flooding - the intensity of short-duration events is projected to increase by 14 per cent per degree of warming.<sup>5</sup>

<sup>5</sup> Auckland Council. (2020). Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan. Pg. 55.

38. Adverse effects from on-site wastewater systems have the potential to be triggered in wet weather events, due to stormwater infiltration. The potential changes to the AUP standards include additional standards to prevent rainwater from entering on-site wastewater systems, which will increase their resilience in extreme weather events.

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

39. The Auckland Water Strategy was adopted by the council in March 2022, with the overarching vision 'Te mauri o te wai, the life sustaining capacity of Auckland's water, is protected and enhanced'. The on-site wastewater plan change will support improvements to water quality and aligns with the vision of the strategy, as well as Strategic Shift 6 'Integrated Land Use and Water Planning'. Strategic Shift 6 acknowledges that the council commits to continuously improving regulatory and non-regulatory instruments to ensure that water is a central principle in land management practices, including improving council strategy, policy and planning instruments.
40. Staff from Healthy Waters and Flood Resilience, Planning and Resource Consents (regulatory wastewater specialists) and compliance (Safe Septic) have been involved in identifying issues with Chapter E5 and are supportive of undertaking a plan change to address them. The changes identified to Chapter E5 will support resource consent processing and the Safe Septic compliance programme.
41. Further internal stakeholder engagement will be undertaken in the plan change preparation process.

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

42. Local boards provided feedback on freshwater management in their March 2024 business meetings, in response to the second NPS-FM community consultation phase (held in November 2023). In general, the responses received from local boards supported the proposals under the NPS-FM programme to improve freshwater management.
43. An on-site wastewater plan change would amend the Chapter E Auckland-wide section of the AUP. This plan change will have some relevance to all local boards, but will be more significant to some local boards with larger rural areas or communities where wastewater servicing is not provided by Watercare. If approved, the plan change preparation will involve local board consultation.

### **Tauākī whakaaweawe Māori Māori impact statement**

44. The council has been engaging with mana whenua in the water space for many years, including on the current AUP and through the legacy councils. Engagement with mana whenua on the NPS-FM 2020 has also been undertaken since mid-2021, principally through a series of hui and ongoing contact.
45. Mana whenua have expressed that they are not satisfied with the resource management outcomes for freshwater from the existing and legacy regulatory frameworks (including the AUP). The discharge of treated and untreated human waste to water bodies is highly offensive to tikanga Māori.
46. The potential changes to Chapter E5 seek to improve the council's management of discharges which may impact water quality; and align with the direction expressed by mana whenua on water issues.
47. If approved, the plan change preparation will involve iwi consultation in accordance with Schedule 1 Clause 3, 3B and 4A of the RMA.

## Ngā ritenga ā-pūtea Financial implications

48. Option 1 is highest cost option, as it includes additional external costs of \$220,000 for plan change notification and the subsequent hearings process.
49. The notification process includes publishing a public notice and sending a copy of that notice to any person who is likely to be directly affected by the plan change. The cost of printing, collating, and sending letters to property owners with on-site wastewater systems is estimated to be \$170,000. The cost of the plan change hearings would occur one to two years after plan change notification and includes hearing commissioners and administration costs. This is estimated to cost \$50,000.
50. The notification costs and subsequent hearings costs can be managed within the overall NPS-FM budget.
51. The existing programme budget is, however, based on the current NPS-FM and its timeframe. The government review could lead to changes in the scope and timing of the programme, which in turn may affect the NPS FM programme cost and budget. These changes will be considered when the government releases details of its replacement to the NPS-FM 2020, expected later in 2025.

## Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

52. With option 1, there are risks to reputation and efficiency if further changes to AUP Chapter E5 are made in the NPS-FM plan change. However, any further changes through the NPS-FM plan change are likely to be limited to area specific controls, and only if required to address any significant water quality issues.
53. Option 2 carries the same risks as option 1, plus additional risks to the council reputation for not directly notifying affected parties.
54. With option 3, there are risks to reputation (of the Safe Septic programme) and efficiency (of consenting and compliance processes), due to delays in addressing the issues with Chapter E5. There is also a risk that changes to Chapter E5 could be further delayed. For example, if the NPS-FM programme is delayed by central government's resource management reform programme, or if there is a lengthy hearings process for the NPS-FM plan change.

## Ngā koringa ā-muri Next steps

55. If the Policy and Planning Committee approves the preparation of a council-initiated plan change to the AUP, to address issues with the provisions for on-site wastewater management, the key next steps are to:
  - Undertake further work to develop the options
  - Undertake internal and external stakeholder engagement, for example with the Rural Advisory Panel and with on-site system installers and technical experts
  - Draft the plan change text and evaluate the changes in accordance with Section 32 of the RMA
  - Undertake local board consultation
  - Undertake iwi consultation, in accordance with Schedule 1 Clause 3, 3B and 4A of the RMA
  - Consult on a proposal to incorporate GD06 by reference in accordance with Schedule 1 Clause 34 of the RMA (if references to GD06 are required in the plan text).

56. It is anticipated that this plan change preparation work will take around five months, meaning the draft plan change will be reported back to this committee in August 2025 to seek approval for notification. The plan change notification would then occur in late 2025. If delays occur during the plan change preparation, for example during the consultation phase, there will need to be a reassessment of whether Option 1 is still the best option or whether it would be more relevant to combine the changes with the NPS-FM freshwater plan change.

## Ngā tāpirihanga Attachments

No.	Title	Page
A⇨	On-site wastewater issues and options report	

## Ngā kaihaina Signatories

Author	Katie Auckram - Policy Planner
Authorisers	Kath Coombes - Team Leader - Regional Planning John Duguid - General Manager Planning and Resource Consents Megan Tyler - Director Policy, Planning and Governance





# Auckland Unitary Plan - making operative Private Plan Change 99 (13 Cresta Avenue and 96 Beach Haven Road, Beach Haven)

File No.: CP2025/04913

Item 10

## Te take mō te pūrongo Purpose of the report

1. To make operative Plan Change 99: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven to the Auckland Unitary Plan (Operative in Part) (AUP).

## Whakarāpopototanga matua Executive summary

2. Plan Change 99 is a private plan change request to rezone two contiguous sites at 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven from Residential – Single House to Residential – Mixed Housing Urban in the AUP.
3. The plan change also applies a new precinct which incorporates the Medium Density Residential Standards (MDRS) as required by Section 77G(1) and Schedule 3A of the Resource Management Act 1991 (RMA).
4. Plan Change 99 was publicly notified on 14 April 2023 and 90 submissions were received. No further submissions were received.
5. The hearing was held on 12 September 2024. The decision by a panel of Independent Hearing Commissioners to approve Plan Change 99 (the Decision) with modifications, was publicly notified on 23 January 2025. The commissioners were delegated authority to make this decision.
6. The appeal period closed on 7 March 2025 and no appeals were received.
7. The relevant parts of the AUP can now be amended to make Plan Change 99 operative in accordance with the Decision (and as shown in Attachments A and B of the agenda report).

## Ngā tūtohunga Recommendation/s

That the Policy and Planning Committee:

- a) whakaae / approve Private Plan Change 99: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven to the Auckland Unitary Plan under clause 17(2) of Schedule 1 of the RMA as set out in Attachments A and B to the agenda report;
- b) tono / request staff to complete the necessary statutory processes to publicly notify the date on which Private Plan Change 99: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven becomes operative in part as soon as possible, in accordance with the requirements in clause 20(2) of Schedule 1 of the Resource Management Act.

## Horopaki Context

### Overview of Plan Change 99

Item 10

8. Plan Change 99 is a private plan change request from Beach Haven Road Apartments Limited (the requestor) which relates to two contiguous sites with a total area of approximately 7,147m<sup>2</sup>. The sites at 13 Cresta Avenue and 96 Beach Haven Road are located close to the Beach Haven Local Centre, with the driveway to 96 Beach Haven Road immediately to the west of the centre. The two sites are currently vacant, with the buildings on 96 Beach Haven having been removed.
9. The sites within the surrounding residential area are zoned Residential – Mixed Housing Suburban to the west, Residential – Single House to the north, and Mixed Housing Urban to the south and east. The Residential – Mixed Housing Suburban zone provides for buildings generally up to two storeys and the Residential – Mixed Housing Urban Zone provides for buildings generally up to three storeys. Both of these zones provide for residential development up to three dwellings as a Permitted Activity subject to compliance with the relevant standards.
10. Plan Change 99 sought to rezone the two sites from Residential – Single House to Residential – Mixed Housing Urban and to apply a new precinct to incorporate the MDRS as required by section 77G(1) and Schedule 3A of the RMA. The plan change was publicly notified on 18 April 2024, and 90 submissions were received. No further submissions were received.
11. Watercare Services Limited (Watercare) submitted on Plan Change 99 while Auckland Transport chose to provide their views as part of the council specialist reporting team. The council group impacts and views section of this report includes more information about Watercare’s submission and the views of Auckland Transport.
12. Independent Hearing Commissioners were delegated authority to hear and make the decision on Plan Change 99. A hearing was held on 12 September 2024. The Decision to approve Plan Change 99 (with modifications) was notified 23 January 2025. The Decision amends the AUP by:
  - rezoning land from Residential – Single House to Residential – Mixed Housing Urban
  - adding a new precinct – the Beach Haven Precinct.
13. These amendments apply to 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven. Maps showing the area to be rezoned and the new precinct are in Attachment B of this report.
14. The purpose of the precinct is to:
  - enable greater density to make efficient use of highly accessible land close to the Beach Haven Local Centre and public transport
  - incorporate the MDRS as required by section 77G(1) and Schedule 3A of the RMA
  - make the MDRS less enabling through qualifying matters relating to:
    - the number of permitted dwellings per site – 1 dwelling permitted compared with 3 dwellings permitted by the MDRS
    - the height to boundary standard applied to the southern boundary of the sites
  - include provisions relating to wastewater and stormwater to ensure that there is sufficient bulk infrastructure to service the subsequent development of the two sites
  - include provisions that the access from 96 Beach Haven Road to Beach Haven Road is a pedestrian only access.

15. The appeal period for the Plan Change Decision closed on 7 March 2025, and no appeals were received. Therefore, Plan Change 99 can now be made operative and the relevant parts of the AUP amended as set out in the Decision and included in Attachments A and B of this report.

### Medium Density Residential Standards and National Policy Statement on Urban Development

16. Sections 77G, 77N and 80E of the RMA require the council to:
- give effect to Policy 3 and 4 of the National Policy Statement on Urban Development (NPS-UD)
  - incorporate the MDRS into the AUP as required by Schedule 3A of the RMA;
- using an intensification planning instrument (IPI). Plan Change 78 – Intensification (PC78) is the council's IPI.
17. When PC78 was notified the area within Plan Change 99 was zoned Residential – Single House Zone. PC78 proposes to rezone the two sites to Residential – Mixed Housing Urban. A qualifying matter for the Water and/or Wastewater Constraints Control is also proposed to apply to the two sites.
18. The Commissioners' addressed this matter within their decision and MDRS provisions have been included within the Beach Haven precinct.

### Tātaritanga me ngā tohutohu Analysis and advice

19. Schedule 1 of the RMA sets out the statutory process for plan changes.
20. 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'. Decisions were made on all submissions and no appeals were received. On this basis Plan Change 99 can now be approved.
21. Clause 20 of Schedule 1 sets out the process that is required to be undertaken for the notification of the operative date. Planning and Resource Consents staff will notify the operative date as soon as possible following the Policy and Planning Committee's resolution.

### Tauākī whakaaweawe āhuarangi Climate impact statement

22. Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan sets out Auckland's climate goals:
- to adapt to the impacts of climate change by planning for the changes we will face (climate adaptation)
  - to reduce greenhouse gas emissions by 50 per cent by 2030 and achieve net zero emissions by 2050 (climate mitigation).
23. The first of council's climate goals is relevant because it relates to climate adaptation. That goal aligns with the legal principle for RMA decision-makers to have particular regard to the effects of climate change (section 7(i) of the RMA).
24. In regard to the second goal, the RMA amendments in November 2022 allow the council to consider climate mitigation. The private plan change is not proposing any rules about particular greenhouse gas discharges.
25. There were no submissions that raised specific climate change matters. However, matters relating to stormwater and flooding, and the adequacy of public transport were raised in submissions and addressed in the section 42A hearing report.

26. The Beach Haven Precinct in Plan Change 99 includes provisions to manage stormwater, including stormwater quality and attenuation, flooding and the effects on overland flow paths downstream of the two sites.
27. Auckland Council Healthy Waters and Flood Resilience (Healthy Waters) provided evidence on Plan Change 99 and the accompanying stormwater management plan and suggested amendments to the proposed precinct provisions. These were reflected in the precinct provisions in the Commissioners' decision.

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

28. As a procedural step, there are no council group impacts associated with the approval of Plan Change 99. Therefore no views from the council group were sought in relation to making the plan change operative.
29. It is noted that through the plan change process Auckland Transport and Healthy Waters provided input as part of the specialist reporting team.
30. Watercare submitted in opposition of the plan change and sought that it be declined subject to their proposed amendments. Watercare's specific concerns were:
  - the level of development enabled under PPC99 and the actual and potential effects on Watercare's existing and planned water and wastewater network
  - the absence of proposed precinct provisions addressing the need to consider bulk water supply and wastewater infrastructure capacity.
31. Watercare was a party to a joint meeting with the requestor's technical experts, along with Healthy Waters and other Auckland Council specialists. As a result of that meeting amendments to the precinct provisions for stormwater and wastewater were agreed and an updated set of precinct provisions provided with the requestor's evidence at the hearing.
32. The views of Healthy Waters, Auckland Transport, and Watercare were considered as part of the hearing and are reflected in the Decision on the plan change.

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

33. As a procedural step, there are no local impacts associated with the approval of the plan change.
34. While this report is procedural only, it is noted that the Kaipātiki Local Board provided its views on the proposed plan change at its 19 June 2024 business meeting.
35. In its views the local board opposed the proposed plan change in its entirety and asked that it be declined. The feedback from the local board provided its reasons which included:
  - the scale of development that could be undertaken and the lack of supporting infrastructure
  - the views of the submitters on PPC99
  - the views of the community including those raised on the scale of the development proposed during a previous resource consent process in 2022-2023 (and which was subsequently refused in August 2023 on the basis that the proposed development was contrary to the objectives and policies of the Residential – Single House Zone).
36. These local board views were included in the council's hearing report and were considered in the Decision on the plan change.

## Tauākī whakaaweawe Māori Māori impact statement

37. Beach Haven Road Apartments Limited advised that it engaged with the iwi authorities with an interest in the areas and provided the opportunity for feedback before the request was formally lodged with council (refer to Table 1 below).

Iwi authority	Organisation
Ngāi Tai ki Tamaki	Ngāi Tai ki Tamaki Tribal Trust
Ngāti Whātua o Kaipara	Ngā Maunga Whakahii o Kaipara Development Trust
Ngāti Whātua Ōrākei	Ngāti Whātua Ōrākei Trust
Ngāti Maru	Ngāti Maru Rūnanga Trust
Ngāti Pāoa	Ngāti Paoa Iwi Trust
Ngāti Pāoa	Ngāti Paoa Trust Board
Ngāti Tamaterā	Ngāti Tamaterā Settlement Trust
Ngāti Te Ata	Te Ara Rangatu o Te Iwi o Ngati Te Ata Waiohua
Ngaati Whanaunga	Ngāti Whanaunga Incorporated
Te Ākitai Waiohua	Te Ākitai Waiohua Iwi Authority
Te Kawerau ā Maki	Te Kawerau Iwi Settlement Trust
Te Rūnanga o Ngāti Whātua	Te Rūnanga o Ngāti Whātua

Table1: Mana Whenua engagement undertaken by Beach Haven Road Apartments Limited

38. The requestor received feedback from Ngāi Tai ki Tamaki and Ngāti Whātua o Kaipara, who advised that they had no comment on the draft plan change, but that they reserved their right to raise concerns regarding future resource consent applications. Feedback was also received from Ngāti Whātua Ōrākei which advised that they wish to continue to receive copies of any relevant material and to be advised of any changes as the development project goes forward.
39. The council is required to send a copy of the private plan change to all iwi authorities in accordance with clause 5(4) of Schedule 1 of the RMA. Iwi groups were notified and provided the opportunity to submit.
40. There were no submissions received from mana whenua. No iwi resource management groups recommended needing a decision maker in accordance with clause 4A of Schedule 1 of the RMA.

## Ngā ritenga ā-pūtea Financial implications

41. There are no financial implications arising from this procedural decision. Approving plan changes and amending the AUP is a statutory requirement and is budgeted expenditure for the Planning and Resource Consents Department.
42. As a private plan change, costs associated with processing the plan change, including making it operative, are recoverable from the requestor.

## Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

43. There are no risks associated with making the plan change operative.

## Ngā koringa ā-muri Next steps

44. The final step in making Plan Change 99 operative is to publicly notify the date on which the plan change will become operative, and to update the AUP.
45. Planning and Resource Consent Department staff will undertake the actions required under Schedule 1 of the RMA to make Plan Change 99 operative, including the public notice and seals.

## Ngā tāpirihanga Attachments

No.	Title	Page
<a href="#">A⇒</a>	Proposed Plan Change 99 Decision	
<a href="#">B⇒</a>	Proposed Plan Change 99 Precinct provisions	

## Ngā kaihaina Signatories

Author	Jo Hart - Senior Policy Planner
Authorisers	John Duguid - General Manager Planning and Resource Consents Megan Tyler - Director Policy, Planning and Governance

## Storm Recovery: Storm Affected Land Use Policy and implementation approach

File No.: CP2024/20911

### Te take mō te pūrongo Purpose of the report

1. To adopt the Storm Affected Land Use Policy and implementation approach.

### Whakarāpopototanga matua Executive summary

2. Auckland Council is in the process of purchasing around 1200 residential properties that have been assessed as having an intolerable risk to life (Category 3). The Auckland Crown Funding Agreement specifies that when the council takes ownership of the properties it also assumes all responsibilities, costs and revenues associated with the properties.
3. The properties are currently held as non-service land, and there is no budget allocated for their future use by the council. We need to find safe and sensible options for the land, working within the constraints of the hazard.
4. In some cases, there will be identified council service needs that can be met with purchased properties. In other cases, there will be a safe option for divestment and return of revenue to the council. Some land will be identified as too hazardous to allow any activity.
5. The Storm Affected Land Use Policy and implementation approach ('the Policy', provided at Attachment A) has been prepared to guide decision-making on the best use of each property. It makes use of existing council processes to determine and action appropriate outcomes for each site. This will also align with the Better Value Projects principles, ensuring processes are simplified and value driven.
6. The policy outcome is:  
**Storm affected properties purchased by the council will be repurposed to the best use possible that takes account of identified risks.**
7. Development of the Policy has been informed by analysis of Category 3 properties that are now in Auckland Council ownership. This analysis suggests around half of the properties could be divested for safe redevelopment or as 'private green space', and half retained by the council for community purposes, including improved flood resilience, amenity and siting of infrastructure.
8. There is a risk that some members of the public may not agree with land being repurposed. The policy Principles establish that risk management is the first priority.
9. Decisions on the use of storm affected land will take a precautionary approach to ensure land will only be repurposed where it can be done in a way that accounts for risks.
10. The Transport, Resilience and Infrastructure Committee (TRIC) endorsed in principle the draft Storm Affected Land Use Policy and implementation approach on 13 February 2025, for consideration by the Policy and Planning Committee ([TICCC/2025/12\(d\)](#)).
11. Staff are proposing some changes to the draft that was presented to the TRIC committee in response to internal and local board feedback (provided in Attachment B). Most are minor changes to strengthen the policy and improve clarity.
12. A scope clarification is proposed to include additional properties that may be purchased to enable land use decisions for the sensible management of purchased Category 3 property.
13. The proposed Policy builds on the interim guidelines for future use of land, agreed by the Governing Body on 30 May 2024 ([GB/2024/55](#)), and once approved will supersede these guidelines.

## Ngā tūtohunga Recommendation/s

That the Policy and Planning Committee:

- a) whai / adopt the Storm Affected Land Use Policy and implementation approach.
- b) tāpae / delegate approval of the final Policy and implementation approach incorporating all the proposed changes as outlined in Attachment B of the agenda report and any minor edits, as may be required, to the Chair and Deputy Chair of the Policy and Planning Committee and a member of Houkura – Independent Māori Statutory Board.

## Horopaki Context

### Storm affected land is being acquired to support impacted Aucklanders

14. Following extreme weather in 2023, Auckland Council is in the process of purchasing around 1200 residential properties that have been assessed as having an intolerable risk to life (Category 3). As of 17 March 2025, 608 sale and purchase offers on Category 3 properties have been settled.
15. Clause 4.2(g) of the Auckland Crown Funding Agreement specifies that Auckland Council is to 'take ownership of each Category 3 Property purchased and be responsible for all costs associated with the management of the Category 3 Properties purchased (including but not limited to all demolition and removal of building material). In turn, [the council] may retain any revenues from the ongoing use of the land or its resale (where ongoing use remains viable).
16. The land is held by Auckland Council as 'non-service' land until decisions are made about appropriate use of the land. This means that the land does not have an identified and agreed funded future use.
17. There is no budget allocated for ongoing future use of these properties. Budgets are in place to fund house removal, and allowance has been made for basic interim maintenance and other consequential operating costs until land uses are determined and properties are either transferred internally or divested.
18. Staff continue to look for opportunities for cost savings, as per resolutions [GB2023/202](#), [TICCC/2024/146](#), and [TICCC/2025/12](#). This includes divesting properties where risks can be managed and sales proceeds can help offset storm recovery programme costs.
19. The council must manage and decide the best use of properties recognising they were some of the most severely impacted by the North Island Weather Events of 2023 and acknowledging the whānau and communities who have been personally impacted.
20. Recovery Office teams and systems will support decisions at each stage of the process, for interim maintenance and risk management, interim land use (i.e. requests to use properties temporarily), and land use (i.e. the end use for the property).

## Tātaritanga me ngā tohutohu Analysis and advice

### The Policy and implementation approach will determine long-term land uses

21. With 1200 storm affected properties coming into council ownership, we need to find safe and sensible options for the land, while working within the constraints of the hazards that are present.
22. Although the scheme identified an intolerable risk to life with the existing dwellings, there is potential to do something different to enable public or private use with some properties. In other cases, the land is simply too hazardous to allow future use.



23. As the landowner, the council needs to establish efficient processes to decide the best use of the properties on a site-by-site basis. Staff propose that the Policy and implementation approach (Attachment A) guides this process, including decisions on whether properties should be retained or divested.
24. The Policy and implementation approach relies on existing council processes to undertake the assessment and divestment of properties. The guidance has been developed with input from relevant council departments.
25. The Policy (Attachment A) sets out the following outcome:

Storm affected properties purchased by the council will be repurposed to the best use possible that takes account of identified risks. This includes public use where there is value in retaining the land for an identified service need and private use where value can be returned to the council and Aucklanders.

26. The principles (Attachment A) guide decision-making:

1. Manage risk associated with storm-impacted land.
2. Make best use of storm affected land, recognising identified risks, costs and benefits.
3. Be prudent with ratepayers' money.
4. Make use of existing council processes.
5. Include opportunities for partnerships with mana whenua on future land uses.
6. Include communities, mana whenua and mataawaka in the process to determine land uses where appropriate.
7. Ensure decisions are transparent and fair.

### The implementation approach details the decision-making process

27. The land use assessment stage will weigh up different factors to determine best use as outlined in Figure 1.

**Figure 1: Implementation approach**



28. Land use options, subject to risk assessment, can include (but are not limited to):

**Table 1: Land use options**

Land Use Option	Conditions
<b>Divestment to a third party</b>	
<b>i. Redevelopment</b>	Risks can be adequately mitigated.
<b>ii. Private green space</b>	No redevelopment potential.
<b>iii. Remediation</b>	Risks to existing dwelling can be mitigated.
<b>Making Space for Water programme and another identified service need</b>	Service needs, business cases, and funding must be confirmed.
<b>Retention for high hazard management</b>	Where flood and land instability mean there is no viable use for the site other than hazard management activities.
<b>Residual land as an interim outcome</b>	Where there is no current identified service need or market interest, land will be retained as an interim outcome.  Regular reviews will identify opportunities for use or divestment.

**Preliminary analysis suggests proportion of properties suitable for each option**

29. Preliminary analysis of the first 300 purchased properties suggest the proportion of properties suitable for each option. The following estimates are likely to change as more properties are investigated and as market interest is ascertained.

**Table 2: Preliminary analysis results**

Option	Initial result
<b>Property sold for redevelopment</b>	
These are sites where relocating building platforms to a different part of the site or applying engineering solutions to flood and landslide risk mean the property could be successfully redeveloped by the private sector. Most of the land assessed (70%) is marginal for redevelopment and may have a very low value or low market appeal.	30%
<b>Property sold for risk mitigation with the existing dwelling</b>	
There may be situations where it is possible to repair the existing dwelling that couldn't be achieved under the 2P grant scheme. This also includes multi-unit buildings that require a 'make safe' <sup>6</sup> solution for the affected dwelling within an existing complex.	3-5%
<b>Property sold for private green space</b>	
The land is not safe for redevelopment but can be incorporated into neighbouring properties for additional garden or outdoor uses.	15%
<b>Property retained by the council for Making Space for Water Programme or another identified service need</b>	

<sup>6</sup> In some cases, there may be a risk mitigation option available. For example, converting the dwelling into space for storage or garaging for use by other unit owners. Or removing a habitable space from a lower level.

Option	Initial result
Where there is an identified service need and robust service needs assessment. This includes properties to improve community flood resilience or used by the council group for locating infrastructure or providing public open space. In some cases, this could remove the need for the council to purchase other land.	30%
<b>Property retained by the council for hazard management</b>	
The land is either highly unstable or flood-prone and is not safe for use. It is best retained and managed by the council, similar to closed landfills.	20%
<b>Property retained by the council as residual land</b>	
This is a holding state for land where there is no current identified use. Opportunities for the service use or divestment will be regularly reviewed.	Interim result

30. This initial analysis suggests that around 50 per cent of the properties could be safely divested and return some revenue to help offset the costs of the storm recovery programme, in accordance with resolution [TICCC/2024/146\(k\)](#).
31. Recommendations on the best use of properties will be identified by staff and presented to the Chief Executive, or relevant delegated officer, for decision under existing delegations.
32. Staff will consult with the Storm Recovery Political Advisory Group where there are particularly challenging choices or a high level of interest in a particular site.
33. Once adopted the Policy will supersede the interim guidance for decisions on land acquired by Auckland Council approved by the Governing Body on 30 May 2024 ([GB/2024/55](#)).

### Staff propose changes to the Draft in response to local board feedback

34. Local board feedback has been provided following the 13 February Transport, Resilience and Infrastructure Committee (see Attachment C and Attachment D).
35. The changes we propose in response to local board feedback are set out in Attachment B and reflected as tracked changes in Attachment A (along with some minor amendments).
36. Proposed changes are to strengthen the principles or improve understanding of the plan and supporting processes. Overall, the changes are minor and do not change the Policy intent or approach.

### Other minor amendments are also proposed

37. Through further proofing we have also picked up minor errors, corrections and formatting changes that will be made to the final document. These are not specifically listed in Attachment B.
38. A scope clarification is also proposed. The scope allows the policy to apply to additional properties that may be purchased to enable sensible land use decisions for the management of purchased Category 3 properties.
39. The purchase of additional properties may at times be required to support the Auckland Council's Storm Recovery and Resilience Programme.
40. The decision to purchase properties is independent of this policy.
41. This clarification of scope offers flexibility to enable good outcomes that serve the best interests of Auckland.

## Tauākī whakaaweawe āhuarangi Climate impact statement

42. Management of purchased Category 3 properties will need to take account of the likely impacts of future climate disruption and may also offer opportunities for carbon offsetting through planting and waterway management.
43. Climate impact is a key consideration in decisions about the future of storm affected land. Staff included it in the modelling for the analysis and advice provided.
44. The Storm affected land use policy and implementation approach is consistent with the overall strategic direction, commitments and outcomes sought in the Auckland Plan 2050, and policy settings in Te Tāruke-ā-Tāwhiri, Auckland's Urban Ngāhere Strategy, the Auckland Water Strategy and the activities of Resilient Tāmaki Makaurau.
45. Properties retained for stormwater, hazard management and parks purposes will be used to increase the region's resilience to flooding and the impacts of climate disruption. Planting where possible on retained land will contribute to Auckland's Urban Ngāhere Strategy by increasing canopy coverage, supporting urban heat mitigation, and adding to carbon sequestration.
46. Deconstruction and future infrastructure provision or construction is likely to cause increased emissions in the short-to-medium-term but will be beneficial for long-term adaptation. Where possible, relocation of dwellings and re-use of materials from Category 3 properties will help to lower the carbon impact of the buy-out process.

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

### The process has been developed with the Auckland Council group

47. The Auckland Council group has provided guidance and advice that has shaped the Policy.
48. This includes expertise from the Recovery Office, Policy, Planning and Governance, Parks and Community Facilities, Waste Solutions, Eke Panuku, Auckland Transport, Watercare, Healthy Waters and Flood Resilience, Legal, Resilience and Insurance and Group Finance.
49. As much as possible, the policy and implementation approach make use of existing council processes for managing and divesting of land.
50. There are dependencies and synergies with other policies and programmes that will impact the use of storm affected land. These will be considered in the assessment of properties:
  - Making Space for Water programme
  - Land instability mitigation projects programme
  - Open Space, sport and recreation policy framework refresh and consolidation
  - Auckland Water Strategy
  - Property optimisation process
  - Plan Change processes including the Natural Hazards Plan Change.
51. The Storm affected land use programme will work across the council group to ensure alignment with council policy and priorities, and to deliver necessary work programmes.

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

52. Local boards have been provided with briefings throughout the Storm affected land use programme and policy development. Opportunities for questions and feedback have been provided and changes made to the Policy as appropriate.

53. Following the Transport, Resilience and Infrastructure Committee in principle endorsement ([TICCC/2025/12\(d\)](#)), 18 local boards have provided feedback. A summary with staff responses is set out in Attachment C, and full local board feedback is provided in Attachment D.
54. Further opportunities for local board input will be provided through the Storm affected land use process. A register of property requests is being managed by the Recovery Office to ensure identified community and local board opportunities are considered in the final land use decision.
55. Once acquisition and analysis are complete later this year, staff will hold a workshop with each of the 15 local boards with storm affected land to share information on:
  - land parcels acquired in their rohe
  - land parcels that have an anticipated outcome
  - land parcels that meet a potential service need in their rohe.
56. Local boards can assess these properties and submit requests for properties that have an identified and funded service need. Additionally, local boards may submit specific preferences or factors to be considered by staff when evaluating future land use options.
57. Local boards will be included in decisions on specific land parcels where decision-making in relation to the land parcel may affect the responsibilities or operation of the local board or the wellbeing of communities in the local board area.
58. Feedback on the policy will also be incorporated into the transitional use guidelines which are to be approved under delegation.

## **Tauākī whakaaweawe Māori**

### **Māori impact statement**

59. The identification of sites of significance or of cultural interest to mana whenua is an early step in the land assessment process.
60. Staff presented an overview of the draft policy and timeframes at the Interim Mana Whenua Engagement Forum hui in December 2024. The draft policy and summary were made available to mana whenua in early January for their feedback and again in late February after the draft Policy was endorsed in principle. Details of acquired properties and maps were requested. No other feedback has been received.
61. Mana whenua may review the complete list of properties acquired within their rohe. Any preferences or interests regarding land use will be recorded in the Acquired Land Request Register and considered during the assessment phase.
62. Divestment to mana whenua will follow the processes for storm affected land.
63. Auckland Council will continue to engage with mana whenua individually through established relationships and collectively through forums such as the Interim Mana Whenua Engagement Forum. Regular updates from the Recovery Office will provide opportunities for feedback on the Storm Affected Land Use programme.

## **Ngā ritenga ā-pūtea**

### **Financial implications**

64. Auckland Council is responsible for the delivery of this policy. This includes funding and resources for implementation of the programme to determine appropriate land uses and either transfer or divest properties.

Item 11

- 65. Implementation will be guided by the council’s Better Value Projects principles. This will include ensuring operational overheads are well-managed and processes are simplified to enable timely decisions on each of the 1200 sites.
- 66. Where land is retained within the council group for a service need, the relevant department or local board will need to cover all operational costs associated with the land, including site remediation beyond house removal.
- 67. Costs associated with facilitating divestment will be capitalised and deducted from the sale proceeds. Preliminary analysis indicates that the net proceeds from selling certain storm-affected properties will be adequate to cover the additional storm recovery costs, including Category 3 property purchase and house removal expenses, as outlined in the 13 February 2025 Recovery Office Update ([TICCC/2025/10\(e\)](#)).
- 68. If these land proceeds are ultimately not available to fund the additional costs, then alternative budget mitigations (such as reduced capital expenditure, service level reductions, alternative asset disposals and/or higher council rates and debt) would need to be considered and agreed via future budget processes.

### Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

- 69. Table 3 outlines the key risks and mitigations for the council as owner of Category 3 properties.

**Table 3: Key risks and mitigations**

Risks of programme	Mitigations
<b>Resource – the council is assuming the costs and responsibilities of ownership, putting further pressure on council resources.</b>	The council will identify land that can be divested within acceptable risk thresholds. It will also look for cost-effective ways to maintain land that needs to be retained for hazard management purposes.
<b>Resource – Category 3 land may not be attractive to the open market.</b>	Land holdings can be retained while options are explored. Discussions with stakeholders such as the insurance sector may help to identify and respond to barriers.
<b>Reputational – some members of the public may not agree with land being repurposed</b>	Principles establish that risk management is the first priority. Land will only be repurposed where it can be done in a way that accounts for risks. The decision-making process will be transparent and well-communicated.

### Ngā koringa ā-muri Next steps

- 70. Once the Policy and implementation approach is adopted, it will guide staff assessments of purchased properties for Auckland Council Group service use and redevelopment potential.
- 71. Categorisation and property purchases are expected to be complete by early 2026. The House Removal programme will be completed in 2027.
- 72. The Storm Affected Land Use programme will continue beyond 2027.
- 73. Programme communication activities will continue to keep internal and external stakeholders informed. For example, community update newsletters and Our Auckland stories.

74. This also includes proactive public communication about the programme through Our Auckland, mail drops and newsletter during April and May 2025.
75. Implementation and Progress of the Storm Affected Land Use programme will be regularly reported to the Transport, Resilience and Infrastructure Committee as part of the Recovery Office Quarterly Report.
76. The first update report will be presented to the relevant committee of council in late 2025.

## Ngā tāpirihanga Attachments

No.	Title	Page
<a href="#">A⇒</a>	Draft Storm affected land use policy and implementation approach	
<a href="#">B⇒</a>	Proposed Changes to Storm affected land use policy and implementation approach	
<a href="#">C⇒</a>	Local Board feedback and recommended response	
<a href="#">D⇒</a>	Local Board Feedback	

## Ngā kaihaina Signatories

Authors	Tanya Stocks - Recovery Office Strategic Support Rebecca Kruse - Principal Policy Advisor
Authorisers	Louise Mason - General Manager Policy Barry Potter - Director Resilience and Infrastructure Megan Tyler - Director Policy, Planning and Governance





## Shaping how Tāmaki Makaurau plans for climate disruption

File No.: CP2025/04930

### Te take mō te pūrongo

#### Purpose of the report

1. To agree a position on the national climate adaptation framework and delegate authority to approve a future submission to central government.

### Whakarāpopototanga matua

#### Executive summary

2. Work on the council's approach to supporting communities to plan and adapt to climate disruption is underway. Clarity in the national system for climate adaptation is critical for this work. Key to the impact the council can have in the future is the mandate, strength of levers and funding local government has in this system.
3. Central government is developing a national adaptation framework that will include defining the role of local government. New and amended legislation is expected sometime in 2025. The timeframe for a submission on any proposed legislation is usually short and often given with little warning. It is also possible that in this case the submission period falls during the local government election.
4. Staff recommend the committee agree the council's position on the national adaptation framework and delegate authority to approve a future submission if the timeframe for submission requires it.
5. To agree the council's position staff have developed position statements consistent with previous submissions to central government.
  - a) The national adaptation framework is urgent, central government should prioritise it.
  - b) It must give clear mandate and roles, including how to coordinate planning among groups with different responsibilities.
  - c) It must have new funding or funding tools for local government to effectively engage and support community planning.
  - d) It should recognise the unique structure of Auckland Council and that it may be appropriate to provide additional or greater powers.
  - e) Auckland Council broadly supports select committee recommendations on principles including subsidiarity, local flexibility, incorporating specific interests and rights of Māori, fairness and equity.
6. There is a risk central government does not introduce legislation in 2025. The council can advocate to central government and staff can update elected members in 2026.
7. If approved, staff will use these positions to advocate to government. Staff will then draft a submission when consultation is announced and if the timeframe requires, seek approval from the delegated authority.

## Ngā tūtohunga Recommendation/s

That the Policy and Planning Committee:

- a) whakaae / agree Auckland Council's position on the national adaptation framework, consistent with previous submissions and these statements.
- b) tāpae / delegate authority to approve a future submission to central government on the national adaptation framework to the Chair and Deputy Chair of the Committee and a member of Houkura – Independent Māori Statutory Board; or to the Chief Executive if the Chair and Deputy Chair are not available because of the local government election.

## Horopaki Context

### Tāmaki Makaurau must plan and act to be more resilient to climate disruption

8. Climate pollution is increasing the frequency and severity of certain hazards in Tāmaki Makaurau like floods, coastal inundation and erosion, droughts and heatwaves.
9. Many of the places and ways Aucklanders live were not designed to manage a future with climate disruption. Tāmaki Makaurau can however, work together to plan and take action to keep the people and places we love safe and keep our options open as long as possible.
10. A range of interventions exist that can help communities protect, avoid, accommodate or relocate from hazards. Communities can monitor changes and plan to take actions before certain limits are reached over the coming years and decades.
11. Investing in proactive planning and adaptive action prevents hardship and saves lives. It enables communities to move forward instead of repeatedly bearing the significant and wide-ranging costs of responding and recovering from severe weather.

### The council approved a statement of its current role and direction in 2022

12. The council approved a statement of its current role and direction in response to the water-related impacts of climate change in 2022 (ECC/2022/55). It confirmed the council:
  - is not an insurer of private property
  - has a role as regulator, decision-maker, emergency responder, landowner, infrastructure and service provider and advocate
  - has work underway through council group strategies.
13. The statement highlighted future uncertainty and the need for a long-term focus on a consistent, financially prudent and equitable approach. Direction included how to apply the council's current role in response to water-related climate hazards.

### The Resilient Tāmaki Makaurau work programme followed extreme weather in 2023

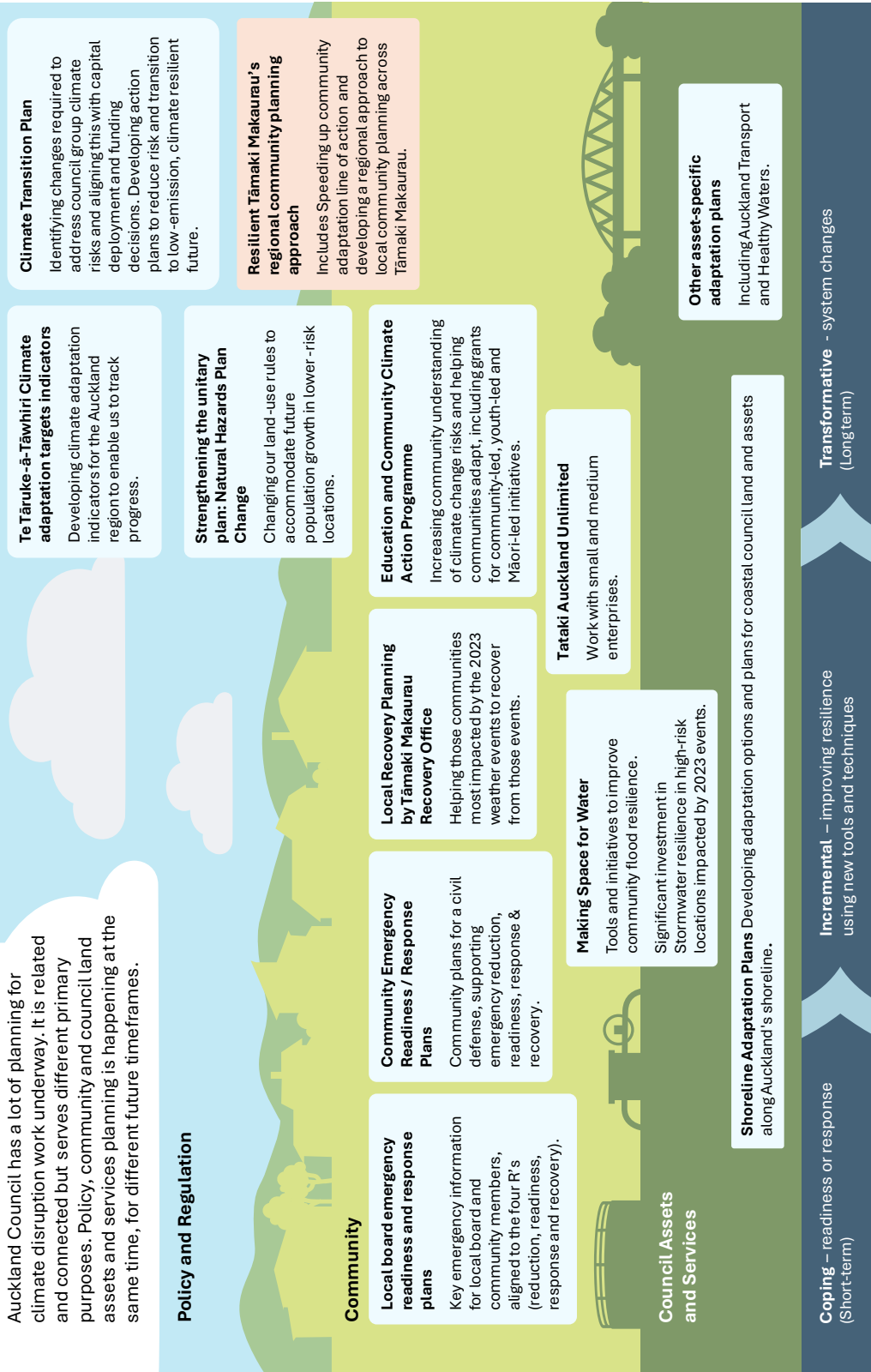
14. The Planning, Environment and Parks committee endorsed the Accelerating a Resilient Tāmaki Makaurau insight report following extreme weather in 2023 (PEPCC/2023/81).
15. This included a work programme with steps to build a resilient Tāmaki Makaurau. We are now in year two of that programme. Staff have progressed all short-term steps relating to community adaptation. Work is also underway that establishes medium term steps. More detail about work underway is in Attachment A: Progress Update.
16. The programme now considers all climate related hazards (rather than just those related to water).

### Community climate planning is whole community, long-term and transformative

17. Figure 1 illustrates the range of climate planning work across the council group. This work is related and connected but serves different primary purposes. Resilient Tāmaki Makaurau's focus is council's developing community planning approach. This means developing an approach that is consistent and equitable and has a whole of existing community focus. It involves long-term and transformational decisions for existing communities about how they will manage in an uncertain future with a disrupted climate.
18. Staff are working collaboratively to ensure a coordinated approach with other climate planning programmes. This includes supporting communities to avoid climate disruption through proposed Auckland Unitary Plan changes.



Figure 1 Planning for climate disruption in Auckland communities



## Tātaritanga me ngā tohutohu Analysis and advice

### Communities ask for support which is limited by uncertainty in the system

- Through recovery and pilot planning projects it is clear there are communities who want to start planning for climate disruption. The number and range of communities asking for long-term support will increase over time.

- 20. Many communities lack capacity, skills and ways of talking about long-term planning for climate disruption. Further, climate planning requires complex and continually updating information for decision-making and must be integrated with infrastructure planning.
- 21. Currently there is no proactive approach for whole of community climate planning across Tāmaki Makaurau. The council’s ability to increase support is limited and slowed by uncertainty in the national system.

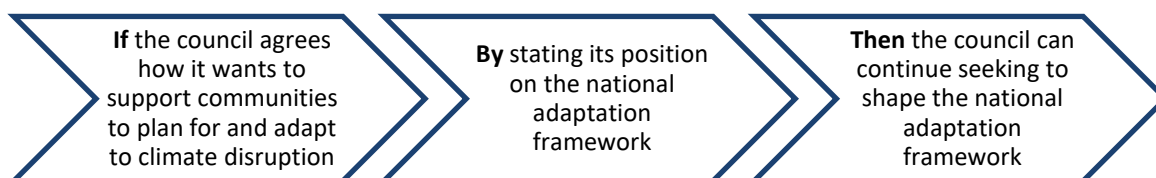
**New legislation presents an opportunity to shape the national adaptation system**

- 22. There is however an opportunity to shape the national adaptation framework and the council’s role within it.
- 23. Central Government is developing a national adaptation framework to fulfil actions in the [National Adaptation Plan](#). It is expected to establish a long-term system for adaptation to climate change in Aotearoa New Zealand. It should address a range of matters, including how to share and minimise long-term costs and what the roles of central government, local government, communities, and other parties (e.g. insurers) will be.<sup>7</sup>
- 24. Following an inquiry by the Finance and Expenditure Committee, the Government said it will introduce adaptation legislation in 2025. There may also be a work programme that amends existing legislation, regulations and other non-legislative elements.<sup>8</sup>

**Agreeing a position now will enable the council to shape the framework in 2025**

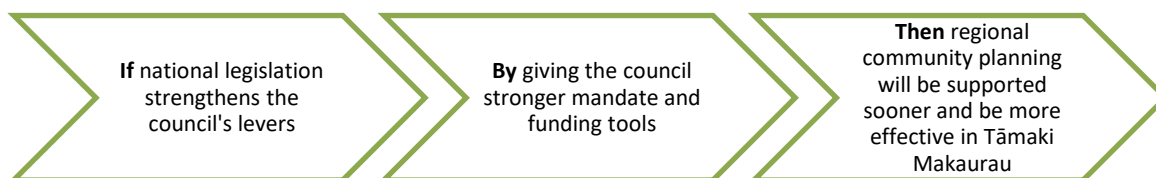
- 25. It is likely the timeframe for submission on any proposed legislation will be short and given with little warning. It is also possible the submission period falls during the local government election.
- 26. Staff propose the council agrees now, how it wants to support communities to plan for and adapt to climate disruption within the national system, through position statements. The logic for this is in Figure 2 below.

**Figure 2 Logic for shaping the national framework**



- 27. Key to the speed and strength of impact the council can have, is a mandate for local government and clarity on how the cost of adaptation is funded and shared. The logic for this is in Figure 3 below.

**Figure 3 Logic for stronger mandate and funding tools**



<sup>7</sup> [Link to Ministry for Environment Adaptation Framework Information](#)

<sup>8</sup> [Link to parliament update](#)

**Staff propose five position statements on the national adaptation framework**

- 28. Five statements for Auckland Council’s position on the national framework and the rationale are proposed in Table 1 below. They are consistent with previous submissions on the topic and the select committee report findings. They also reflect learning from work on the ground in Tāmaki Makaurau communities, through recovery and in local pilot planning projects.
- 29. Staff identified risks for each statement if they became national policy. These risks can be mitigated through explanation when the council advocates to central government.

**Table 1 Position statements on the national adaptation framework**

Position statement	Rationale	Risk and mitigation
a) <b>The national adaptation framework is urgent, central government should prioritise it.</b>	✓ When communities plan to keep the people and places, they love safe - they break the cycle of trauma and recovery from extreme weather.	<p>If central government rushes a proposal, it may not have the broad, long-term, bi-partisan political support that is required to enable long-term, transformative climate adaptation.</p> <p>Or it might be incremental and missing the most difficult but important elements such as how the cost of retreat will be met.</p> <p><b>Mitigation</b></p> <p>Advocate for urgency, while maintaining quality.</p> <p>Accept incremental policy over none.</p>
b) <b>It must give clear mandate and roles, including how to coordinate planning among groups with different responsibilities.</b>	✓ Enables community climate planning to begin, progress and to take effect even when difficult decisions must be made and when there are multiple interests in a local area.	<p>If central government gives the council stronger mandate and levers but no additional funding or funding tools the council will still be limited in the amount of support it can provide communities.</p> <p><b>Mitigation</b></p> <p>Advocate for clarity and funding options.</p> <p>Prioritise and target support to where the council can have the most impact in communities who need it most.</p>
c) <b>It must have new funding or funding tools for local government to effectively engage and support community planning.</b>	✓ Recognises central government has the strongest levers and funding tools to support climate adaptation	<p>If new funding is insufficient, uncertain or difficult to access this will also limit the impact the council could have.</p> <p><b>Mitigation</b></p> <p>Highlight to government the benefits of the council taking action and the importance of funding as an enabler of this.</p>

Position statement	Rationale	Risk and mitigation
d) It should recognise the unique structure of Auckland Council and that it may be appropriate to provide additional or greater powers.	<ul style="list-style-type: none"> <li>✓ Auckland Council could utilise its size, scale and leadership across the region to coordinate climate adaptation across the region.</li> </ul>	<p>There may be criticism that Auckland is receiving special treatment.</p> <p><b>Mitigation</b></p> <p>Emphasise the unique nature of Auckland and Auckland Council. Ensure a clear link to the council and the government’s position on this issue in other contexts.</p>
e) Auckland Council broadly supports select committee recommendations on principles including subsidiarity, local flexibility, incorporating specific interests and rights of Māori, fairness and equity.	<ul style="list-style-type: none"> <li>✓ Supports the council to have the biggest impact by supporting those who need it the most.</li> <li>✓ Consistent with the council’s current position and other key strategies.</li> </ul>	<p>National principles may lack a regional or local perspective.</p> <p><b>Mitigation</b></p> <p>The council can incorporate regional / local principles in its approach.</p>

**Staff recommend the council agrees a position through these position statements**

30. Staff recommend the committee agrees the council’s position on the national climate adaptation framework as summarised by the five position statements in Table 1 and delegate authority to approve a future submission to central government on the national adaptation framework. This will enable the council to continue shaping the national adaptation framework in 2025.
31. If the position statements become national policy, then regional planning will be supported sooner and more effectively in Tāmaki Makaurau. The risks associated with each statement can be mitigated for now through the information provided in a submission.

**Tauākī whakaaweawe āhuarangi  
Climate impact statement**

32. Climate disruption is increasing the frequency and severity of hazards in Tāmaki Makaurau like floods, coastal inundation and erosion, droughts and heatwaves. Te Tāruke-ā-Tāwhiri: Auckland’s Climate Plan has a core goal to adapt to the impacts we face under our current emissions pathway, which could result in at least 3.5°C of warming by early next century.
33. To prepare for a future with ongoing climate disruption, and to realise the opportunities a more resilient and sustainable region and society can have, communities need to plan proactively and adaptively.
34. Resilient Tāmaki Makaurau is developing an integrated planning approach to supporting the community to plan and make changes to adapt to climate disruption. This integrated approach will ensure co-benefits are realised for cost effectiveness, emissions reduction, biodiversity, and socio-cultural outcomes.

35. The community adaptation planning work of Resilient Tāmaki Makaurau is consistent with the overall strategic direction, commitments and outcomes sought in the Auckland Plan 2050, and policy settings in Ngā Hapori Momoho, Te Tāruke-ā-Tāwhiri, the Water Strategy and the Future Development Strategy.

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

36. Staff undertaking climate planning work among the Auckland Council group are engaged in the development of the regional community approach. Including representatives from Watercare, Auckland Transport, Recovery Office, Emergency Management, Coastal Management, Flood Risk Healthy Waters, Planning and Resource Consents and Environmental Services.

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

37. When implemented the regional approach will have significant local implications within Tāmaki Makaurau.
38. Many local boards provided input to the previous 2022 and 2023 submissions.
39. Staff informed local board members about work underway and the proposed position statements at a briefing on 17 March 2025.
40. Local boards will be consulted on the draft proposed regional approach in 2026, and their feedback will be considered in the development of the approach.

### **Tauākī whakaaweawe Māori** **Māori impact statement**

41. Mana whenua and Māori have consistently called for urgent transformational responses to climate change. The proposed position statements call for an urgent national system to enable transformational long-term change.
42. The fifth proposed position statement shows support for a national adaptation framework that incorporates the specific rights and interests of Māori.
43. The specific rights and interests of Māori are also encompassed in the council's developing regional and local approaches to supporting community climate planning. Including:
- investigating how mātauranga Māori can enhance the council's knowledge system while recognising mātauranga iwi belongs to mana whenua
  - recognising mana whenua and Māori are key partners in advancing community adaptation and are best placed to identify and manage risks unique to their communities
  - empowering iwi to lead climate adaptation projects through grants.
44. Staff will continue to work with mana whenua to develop regional and local approaches, which will be presented to elected members in 2026.

### **Ngā ritenga ā-pūtea** **Financial implications**

45. The programme, including all pilots, is fully funded through department and Storm Response Fund budgets. Work is underway on how to implement a proactive community planning approach. Agreeing to the recommendations in this paper will help council to advocate to central government for additional funding and support for implementation.



## Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

46. Risks and mitigation are in Table 2 below.

**Table 2. Risks and mitigation**

If	Then	Mitigation
Central government does not introduce legislation in 2025, does not give the council mandate or does not clarify how implementation will be funded...	the council will still lack clarity on its future role in supporting community climate planning.	Advocate to central government to prioritise the framework. Use current legislation and levers to continue developing council's approach.

## Ngā koringa ā-muri Next steps

47. Staff will continue work to develop the council's approach and to speed up community adaptation. If central government consults on the national framework, staff will draft a submission based on the agreed key points and seek approval from the delegated authority if the timeframe requires it.

## Ngā tāpirihanga Attachments

No.	Title	Page
<a href="#">A⇒</a>	Resilient Tāmaki Makaurau progress update April 2025	

## Ngā kaihaina Signatories

Author	Bonnie Apps - Principal Policy Advisor
Authorisers	Ben Brooks - Senior Policy Manager Louise Mason - General Manager Policy Megan Tyler - Director Policy, Planning and Governance



## Auckland Botanic Gardens masterplan process

File No.: CP2025/04741

### Te take mō te pūrongo Purpose of the report

1. To approve the scope, methodology and engagement approach for a new masterplan to guide the development of 120 Hill Road, Manurewa, which forms part of the Auckland Botanic Gardens.

### Whakarāpopototanga matua Executive summary

2. In September 2023, Auckland Council purchased the property at 120 Hill Road, Manurewa, from the Nathan Estate. The land was purchased to extend the Auckland Botanic Gardens.
3. The property was purchased for \$12.37 million funded by debt, with future development of the site unfunded and requiring an investment case.
4. The additional 1.6 hectares of land will enable council to deliver ethnobotanical gardens (traditional Māori gardens). This is an outstanding action in the existing Auckland Botanic Gardens Masterplan 2009.
5. Further planning is required to design, fund and develop the ethnobotanical gardens which will enable visitors to experience traditional Māori gardens.
6. A masterplan for the site is proposed to provide council with this direction. The masterplan is anticipated to take three years to complete due to consultation and decision-making requirements.
7. The design for the ethnobotanic gardens will be co-created with mana whenua through a series of hui. This will ensure land use delivers specific Māori outcomes.
8. Developing the masterplan will consist of three phases:
  - planning phase – establish scope, methodology and engagement approach
  - research phase – draft vision and design framework to guide masterplan
  - design phase – produce draft masterplan, consult and finalise.
9. Resourcing for this masterplan process will be through existing departmental budgets and external support from the Friends of the Auckland Botanic Gardens.
10. Implementing the masterplan will likely require significant investment. The masterplan will consider development costs and funding options, including external funding. This will help inform budget allocation in the next Long-term Plan 2027-2037.

### Ngā tūtohunga Recommendation/s

That the Policy and Planning Committee:

- a) whakaae / approve the scope, methodology and engagement approach for developing a masterplan for 120 Hill Road, Manurewa, which forms part of the Auckland Botanic Gardens, noting that the:
  - i) scope is focused on an ethnobotanic garden at the new site and its connection to the existing gardens
  - ii) methodology will involve three phases: planning, research and design
  - iii) masterplan development will be carried out in partnership with mana whenua
  - iv) input and feedback from the Manurewa Local Board, key stakeholders and local community will inform the final masterplan.

## Horopaki Context

### Auckland Botanic Gardens regional park

11. The Auckland Botanic Gardens is a distinct regional park with a focus on featuring botanic species. For this reason, the park has its own management plan and is not included in the Regional Parks Management Plan 2022.
12. The vision for the gardens is a “*spectacular South Pacific Botanic Garden that is widely recognised for its outstanding plant collections, Auckland regional identity and the interest inspired in the community*” (Auckland Regional Botanic Gardens Management Plan 2001).

### Acquiring land to extend the Auckland Botanic Gardens

13. Number 120 Hill Road, Manurewa, is a 1.6 hectare (4 acre) site located at the south-east corner of the Auckland Botanic Gardens and was formerly owned by the Nathan Estate.



14. On 7 September 2023, the Planning, Environment and Parks Committee agreed to support in principle the acquisition of 120 Hill Road, subject to final approval of the Governing Body (resolution PEPCC/2023/124).
15. On 28 September 2023, the Governing Body approved the purchase of 120 Hill Road for \$12.37 million to be funded through additional council debt (resolution GB/2023/187).

16. The property was acquired for the purpose and use of a regional park, to be held as part of the Auckland Botanic Gardens. The park land will be protected in perpetuity under Section 139 of the Local Government Act 2002. The park land will also be rezoned from residential to Open Space – Informal Recreation Zone.
17. Ongoing general maintenance of the site is covered by the existing Auckland Botanic Gardens budget. Future development and consequential costs will, however, need to be considered as part of an investment case informed by an additional masterplan.

### Delivering on the existing management plan 2001 and masterplan 2009

18. The site provides space to deliver elements of the Auckland Botanic Gardens Masterplan 2009, approved by Auckland Regional Council. These elements were previously constrained by the size of the existing gardens.
19. Development of ethnobotanical gardens is an outstanding action in the masterplan for future development. The concept of an ethnobotanical garden was first raised in the Auckland Regional Botanic Gardens Management Plan 2001, adopted by Auckland Regional Council<sup>9</sup>.

<p><b>8.2.4 Ethnobotanic Garden</b></p> <p><b>Objectives</b></p> <p>8.2.4.1 To create an awareness of plants used by Tangata Whenua.</p> <p>8.2.4.2 To explain how traditional plants were used and to promote their contemporary use.</p> <p>8.2.4.3 To ensure traditional cultivars of historical economic significance are conserved.</p> <p><b>Policies</b></p> <p>8.2.4.4 Create a garden displaying plants of cultural significance to Maori. Traditional settings will be investigated and where practical developed.</p> <p>8.2.4.5 The project will progress as a partnership with Tangata Whenua who will be consulted throughout the planning process.</p> <p>8.2.4.6 Support the development of a larger ethnobotanic garden in an appropriate location.</p> <p><i>Explanation</i></p> <p><i>Policy 8.2.4.4: The proposal for an Ethnobotanic Garden focusing on traditional Maori plant uses located somewhere in the Auckland region has been suggested sporadically over many years. A small-scale ethnobotanic garden is proposed for the ARBG with a larger ethnobotanic garden envisaged elsewhere in the region that would accurately represent the historical links and plant species of that period.</i></p>
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20. The 2009 masterplan acknowledged that an ethnobotanic garden was to be a new plant collection. This was mandated in the management plan but not implemented. This garden is described in the masterplan as functioning to preserve, study and cultivate a comprehensive selection of native plants valued for their cultural significance to Māori.
21. The direction set by these documents is 16 to 24 years old and will need to be refreshed to inform future development. The garden may include Māori traditional gardens providing educational, ecological and cultural opportunities.
22. Further engagement with iwi groups will be required to ensure that the proposed land use supports specific Māori outcomes. Iwi engagement will also ensure that opportunities are provided for mara kai, Māori tikanga, arts, employment and expression.

<sup>9</sup> The Auckland Botanic Gardens Management Plan 2001 is no longer a statutory plan following the repeal of Section 619 of the Local Government Act 1974.

## Tātaritanga me ngā tohutohu Analysis and advice

Item 13

### Proposed masterplan scope for the Auckland Botanic Gardens extension

23. During the acquisition of 120 Hill Road, it was acknowledged that additional planning was required for future development of the land and to consider funding options. Any future development should align with the existing Auckland Botanic Gardens Masterplan 2009.
24. An additional masterplan, which focuses on the new site and its connection to the existing gardens, is proposed. This is proposed instead of a refresh of the 2009 masterplan, because the design for the existing gardens is largely still fit for purpose.
25. The current area used for shrub trials (labelled F on the map below) was intended to become an ethnobotanic garden (traditional Māori garden), with potential for a Pacific garden, as set out in the 2009 masterplan. The newly acquired site provides space for the ethnobotanic garden to be developed while continuing the plant trials.



26. The proposed masterplan will provide council with strategic direction and an investment case for development of the new site. It will also explore external funding options such as partnership and philanthropic funding.
27. The design for the ethnobotanical garden will be co-created with mana whenua.

## Masterplan methodology and timeline

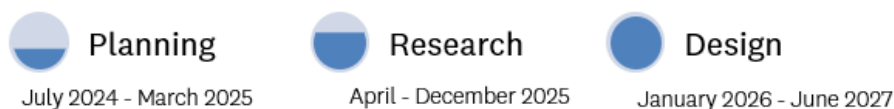
28. The masterplan process involves three phases: planning, research and design.
29. The **planning phase** involves establishing the scope, methodology and engagement approach for the masterplan. This report seeks to confirm this process.
30. The **research phase** involves developing a vision and a design framework that can be used to guide the design of the ethnobotanic garden. The key milestones are:



31. The **design phase** involves producing a draft design (masterplan) with development costs and funding options. It also involves undertaking public consultation and approving the final masterplan. The key milestones are:



32. The masterplan is expected to take approximately three years to complete. This reflects the significant mana whenua engagement, public consultation and political decision-making processes. The indicative timeframe for the three phases is:



## Engagement approach

### Mana whenua engagement

33. The Māori impact statement in the acquisition report included staff advice that further engagement with iwi groups was required to ensure that:
  - the proposed land use supports specific Māori outcomes
  - opportunities are provided for mara kai, Māori tikanga, arts, employment and expression.

34. The Auckland Regional Botanic Gardens Management Plan also commits to progressing the ethnobotanic gardens as a partnership with tangata whenua.
35. To enable this, mana whenua will be engaged through a series of hui at each stage of the project. The Parks and Community Facilities Māori Outcomes team will provide guidance.

#### Local board and community engagement

36. The Manurewa Local Board and key stakeholders (such as the Nathan family and Friends of Auckland Botanic Gardens) will be engaged throughout the masterplan process. This will be done prior to seeking direction or decisions from the appropriate committees.
37. The Manurewa community and Aucklanders will be consulted during the design phase of the project. The public consultation phase will be an important opportunity to raise awareness and generate feedback to help inform the final masterplan recommended for adoption.

### Tauākī whakaaweawe āhuarangi Climate impact statement

38. The council's climate goals as set out in Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan are:
  - to reduce greenhouse gas emissions to reach net zero emissions by 2050 and
  - to prepare the region for the adverse impacts of climate change.
39. Climate change is expected to bring increasing temperatures, rising sea levels and changing rainfall patterns.
40. Vegetation on parks and open space can serve as temperature regulators through shade and evapotranspiration. Plants and woodlands can also process and store carbon, helping to offset the accumulation of greenhouse gases in the atmosphere.
41. Parks and open space also act as collection points for surface and run-off water, reducing flood risks during storms. While the new site is not in a flood zone, it is part of the Puhinui Stream catchment. There is potential for plant species and gardening activities to contribute to the health of this catchment.
42. Park development proposals will need to take into consideration the environmentally sensitive ways parks and open space must be managed to achieve climate benefits. This includes energy and waste reduction and conserving water resources.
43. The gardening and ecological purposes of the land use will help address some climate impacts. For example, seed propagation and nursery activity can help in the restoration of other land where vegetation is lost or damaged (or declining).

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

44. The masterplan project involves teams in the Policy Department and the Parks and Community Facilities Department. Specialists in these departments have reviewed and support the masterplan process.
45. Various teams from across council are likely to provide input into the masterplan as subject matter experts such as Heritage, Environmental Services and Democracy and Engagement.
46. The Parks Committee also has a role in providing oversight of regional parks. The views of the Parks Committee on the masterplan process were sought via memo in January 2025. No comments or suggestions were received.



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

47. At the 2023 Census, the Manurewa Local Board area had the highest proportion of residents of Māori descent (26.4 per cent) in the Auckland region. Manurewa residents also included a high proportion of Pacific Peoples (39.9 per cent). The traditional Māori garden, with the potential for a Pacific garden, reflects the ethnic diversity of local communities and the Auckland region.
48. The Manurewa Local Board Plan 2023 includes the objective 'our communities experience food security'. Mara kai (food garden) will form part of the ethnobotanic garden and provide opportunities for people to learn about growing food.
49. The views of the Manurewa Local Board on the masterplan process were sought via memo in January 2025. The local board supports the development of an ethnobotanic garden which is co-created with mana whenua. The local board would also like to see a playground with Māori kaupapa in the wider Auckland Botanic Gardens.
50. The local board's views will be sought at each phase of the masterplan process and will continue to inform decision-making on the project.

## Tauākī whakaaweawe Māori Māori impact statement

51. Auckland Council is committed to meeting its Te Tiriti o Waitangi responsibilities and its broader obligations to Māori. These obligations and commitments are articulated in legislation, including the Local Government Act 2002, and in council's key strategic documents, including the Auckland Plan 2050, the Long-term Plan 2024-2034, the Auckland Unitary Plan and the Kia Ora Tāmaki Makaurau performance management framework.
52. This project contributes to the following strategic outcomes:
  - Māori identity and wellbeing – partner with mana whenua to share Māori history, stories and art, and support rangatahi education and employment.
  - Environment and cultural heritage – exercise and promote kaitiakitanga of the natural environment through te ao Māori and mātauranga Māori led design and practice.
  - Effective Māori participation – co-create the design for the garden with mana whenua and ensure that it contributes to Māori outcomes.
53. Engagement with iwi groups identified as having an interest in the geographical area has been undertaken. A hui was held on 5 December 2024 at the Auckland Botanic Gardens to introduce the project and view the site. The hui was attended by five iwi groups who have signaled their interest in being involved in the project:
  - Te Ākitai Waiohū
  - Ngāti Te Ata Waiohū
  - Te Ahiwaru Waiohū
  - Ngāti Tamaoho
  - Ngaati Whanaunga.
54. Further hui were held on 10, 12 and 17 February 2025 to discuss the masterplan process and confirm the preferred engagement approach for mana whenua. These hui were attended by Ngāti Te Ata Waiohū, Ngāti Tamaoho, Ngaati Whanaunga and Te Ākitai Waiohū. Mana whenua were generally supportive of the masterplan process outlined in this report, including being involved through a series of hui to co-create the design for the ethnobotanic garden.

## Ngā ritenga ā-pūtea Financial implications

55. Resourcing for the masterplan project in financial years 2024/2025, 2025/2026, and 2026/2027 will be largely met through existing departmental budgets.
56. Additional support is provided by the Friends of the Auckland Botanic Gardens which has generously granted Boffa Miskell initial funding to provide expertise in landscape architecture and production of the masterplan.
57. Budget for future development was first considered as part of the Parks and Community Regional Capital Investment Work Programme 2024/2025. The Planning, Environment and Parks Committee approved in principle \$150,000 Capex for financial year 2026/2027 (resolution [PEPCC/2024/68](#)).
58. Development of the garden will likely require further investment. Staff will investigate costs and funding options as part of the masterplan process. This will inform budget considerations as part of the 2027-2037 Long-term Plan process.
59. The Planning, Environment and Parks Committee in its 7 September 2023 resolution, requested that staff also investigate other types of development funding, such as partnership and philanthropic funding (PEPCC/2023/124).
60. Another funding option for investigation is international visitor fees. As part of the draft Annual Budget 2020/2021, the Governing Body considered introducing an international visitor fee for the Auckland Botanic Gardens (resolution [GB/2019/140](#)). This was to align with Auckland Art Gallery, Auckland War Memorial Museum and international practice. However, it was deferred following the arrival of COVID-19.

## Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

61. The following table outlines the risks and mitigations associated with the recommendations in this report:

If...	Then...	Possible Mitigations
<b>The masterplan takes longer than three years to complete</b>	An investment case may not be ready in time to inform budget allocation in the next Long-term Plan	Consideration of development costs and funding options is undertaken as early as possible.
<b>Budget to complete the masterplan is constrained</b>	There might be delays to masterplan progress	The costs involved in the masterplan can be spread out over three years. External support will assist with costs for producing the masterplan.
<b>Costs to deliver the masterplan exceed funding options</b>	Development of the garden might not be able to start until further funding is secured	Aim for diversified funding from both council and external sources. Consider developing the garden in phases as budget allows.

## Ngā koringa ā-muri Next steps

62. If the masterplan scope, methodology and engagement approach are approved, then the research phase will begin. This will involve:
- undertaking a landscape assessment
  - drafting a vision and framework to guide the development of the masterplan.

## Ngā tāpirihanga Attachments

There are no attachments for this report.

## Ngā kaihaina Signatories

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## Council group submission on proposed wastewater environmental performance standards to Water Services Authority - Taumata Arowai

File No.: CP2025/04951

Item 14

### Te take mō te pūrongo Purpose of the report

1. To endorse Auckland Council's draft submission on the proposed wastewater environmental performance standards to be made under regulation making powers of the Water Services Act 2021 (WSA).

### Whakarāpopototanga matua Executive summary

2. Section 138 of the WSA enables the making of wastewater environmental performance standards (wastewater standards). The Water Services Authority – Taumata Arowai (the Authority), on behalf of the Minister of Local Government, is engaging on proposed wastewater standards until 24 April 2025. The proposals relate to discharges to water; discharges to land; beneficial reuse of biosolids; and, arrangements for wastewater network overflows and bypasses of wastewater treatment plants. The standards only apply to publicly owned wastewater networks.
3. The timeframe for preparing a council group submission (including Watercare Services Limited) is short. The nature of the proposals is technical and complex. It affects water outcomes, consenting, infrastructure design/investment decisions, and regulatory compliance. There are implications for the 18 wastewater treatment plants and 15,000 kilometres of wastewater pipes managed by Watercare<sup>10</sup>, future disposal/reuse options for biosolids, and community expectations on how overflows and bypasses are managed.
4. A draft council group submission (Attachment A) has been prepared for the Policy and Planning Committee's (committee) consideration. The draft submission follows the questions in the discussion document. The final submission is proposed to be approved by delegated authorisers<sup>11</sup> from the committee prior to the submission closing date.
5. The submission covers three perspectives: policy on managing the effects of wastewater discharges; service provision related to the operation of the wastewater network and wastewater treatment plants; and, enforcement of the discharge standards.
6. High level observations include:
  - The wastewater standards, made under the WSA, will prevail over consenting rules for under the Resource Management Act 1991(RMA)<sup>12</sup>. It will have implications for integrated water management outcomes sought by regional councils. This is likely to impact who contributes to improvements in water outcomes and to what extent, and how they participate in relevant processes, through both regulatory and non-regulatory approaches.
  - The standards for public wastewater networks will affect resource consents as they come up for renewal; or, any new works applied for.

<sup>10</sup> Including those that are operated by Veolia.

<sup>11</sup> Including the Chair, Deputy Chair and an invite to a representative from Houkura (Independent Māori Statutory Board).

<sup>12</sup> If the Local Government (Water Services) Bill is not altered through Select Committee deliberations.

- The proposed wastewater standards cover the following areas:
    - *Discharges to water* sets treatment standards for key contaminants in wastewater. They are tailored to the category of water body. Requirements will be simplified for 'small wastewater treatment plants' where the mean annual carbonaceous biochemical oxygen demand (cBOD5) is 85 kg/day, or less. Regional councils won't be able to require higher or lower levels of treatment for listed contaminants. Consents must be issued for 35 years.
    - *Discharges to land* sets out a risk-based framework to: determine what types of land treated wastewater may be discharged to; the associated treatment requirements; and, a requirement for a 'Management and Operation Plan' and undertake relevant monitoring and reporting. Consents must be issued for 35 years. Non-potable uses are not covered.
    - *Beneficial reuse of biosolids* is based on the *Beneficial Use of Biosolids and other Organic Materials on Land (Good Practice Guide)*, as recently reviewed. It provides a grading system for the processing of biosolids. Biosolids with the highest processing grade may be applied to land as a permitted activity. Lower processing grades will be a restricted discretionary or controlled activity.
    - *Arrangements for wastewater network overflows and bypasses of wastewater treatment plants*. Consent applications are a controlled activity subject to the requirement for production of a wastewater risk management plan, socialised with the community.
  - The proposed provisions for biosolids and the arrangements for wastewater network overflows/bypasses are generally consistent with the Auckland Unitary Plan.
  - The proposed wastewater standards set the requirements for monitoring and consistent reporting nationally. However, there may be other reporting requirements set by a regional council on aspects not covered by the wastewater standards.
  - Transitional arrangements for recently expired consents for wastewater treatment plants are being proposed through the Local Government (Water Services) Bill. Wastewater plants will only be able to operate on a section 124 RMA extension for a maximum of two years after the enactment of the Bill.
  - The Authority has not engaged with mana whenua of the Auckland region prior to these proposals being released. Instead, it is relying on opportunities for Māori to attend online webinars, earlier input from the Taumata Arowai Māori Advisory Group – Te Puna, and prior development of case studies exploring Māori values in wastewater treatment. The Pukekohe Wastewater Treatment Plant 2023 consent was one of the six case studies. It received a positive review.
  - Expected benefits (reduced costs of standardised consenting, standardised design, monitoring specifications, and environmental outcomes) from the wastewater standards may be more significant in other regions than in the Auckland region. Particularly for improved environmental outcomes. Some implications arising from the introduction of the wastewater standards may only become apparent in the next twelve months as further assessment of the evolving regulatory landscape continues by both regulatory bodies and wastewater delivery organisations.
7. Central government intends to bring the initial package of wastewater standards into effect around September 2025, following the passing of the Local Government (Water Services) Bill. Council staff believe that more time (6-12 months) would be desirable to evaluate any agreed approaches.

## Ngā tūtohunga Recommendation/s

That the Policy and Planning Committee:

- a) tuhi tīpoka / note that the proposed wastewater environmental performance standards, made under section 138 of the Water Services Act 2021, will prevail over comparable provisions made under the RMA, unless this statutory interface is altered through the passage of the Local Government (Water Services) Bill
- b) ohia / endorse the draft submission to the Water Services Authority (Taumata Arowai) being prepared in Attachment A of the agenda report, subject to editorial changes resulting from input from technical staff across the council group
- c) tāpae / delegate approval of the council's submission on the proposed wastewater environmental performance standards to the Chair and Deputy Chair of the Policy and Planning Committee, and a member of Houkura – Independent Māori Statutory Board.

## Horopaki Context

8. Successive central governments continue to implement reforms for the delivery of water services across New Zealand following the Havelock North contamination event<sup>13</sup>. The key legislation is the Water Services Act 2021 and subsequent legislation including the:
  - Local Government (Water Services Preliminary Arrangements) Act 2024, which has subsequently enabled the gazettal of the 'Local Government (Water Services Preliminary Arrangements) (Watercare Charter) Order 2025', with commencement from 1 April 2025.
  - Local Government (Water Services) Bill (introduced December 2024), which seeks to set out arrangements ('Local Water Done Well') for new water services delivery models, a new economic regulation and consumer protection regime, and changes to the water quality regulatory framework.
9. Section 138 of the WSA provides for the making of wastewater environmental performance standards for prescribed activities (i.e., discharges to water, land and air, biosolids and other wastewater byproducts, energy use, waste that is introduced by a third party into a wastewater network).
10. Some refinements to the powers and the nature and extent of activities provided by section 138 have been proposed through the Local Government (Water Services) Bill, which is expected to be passed into law by August 2025. The proposed wastewater standards are not proposed to be gazetted until that Bill is passed. A 28-day gazettal notification period for the wastewater standards is proposed, meaning that they are intended to be in effect from about September 2025.
11. The initial package of proposed standards was released in late February 2025 ([Help shape New Zealand's wastewater future - Taumata Arowai - Citizen Space](#)). They include activities where performance improvements are the most effective for essential infrastructure and cover publicly owned wastewater treatment plants. The initial package does not apply to privately owned networks, septic tanks or on-site systems for treating wastewater.

<sup>13</sup> August 2016, involving campylobacter entering the town's water supply.

12. Fifty-seven percent of the public wastewater network plant infrastructure will require consenting over the next decade. A significant proportion of the wastewater plant infrastructure is 30-40 years old, and the current capacity is not aligned to expected population growth and urban development. The state and operation of most wastewater plants in the Auckland region is better than other regions. However, there are significant growth pressures affecting the future operation of plants
13. Central government wishes to see nationally consistent standards that will support environmental outcomes, drive cost and time efficiencies, support owners of networks to better plan for the cost of infrastructure, and save time for territorial authorities as owners of the public infrastructure, and regional councils as regulators.
14. Wastewater standards are intended to reduce the consenting regulatory burden, lead to greater standardisation in plant design, improve network performance and operation, while giving service providers greater certainty of costs. It is proposed that the wastewater standards will prevail over rules made under the RMA.
15. The Local Government (Water Services) Bill (currently before Select Committee) proposes changes that impact how wastewater standards are made and implemented, largely as it affects resource management processes. Proposed legislative amendments are designed to ensure that regional councils must implement any requirements imposed as part of a wastewater standard in a new consent. They cannot include any conditions in a consent that are any more or less restrictive. The Bill also proposes that, where the infrastructure proposed in a new consent meets the relevant wastewater standard, a 35 year consent must be granted.
16. When making wastewater standards under section 138, the Authority must not have regard to the hierarchy of obligations in clause 1.3(5) of the National Policy Statement for Freshwater Management, which gives effect to Te Mana o Te Wai. The hierarchy of obligations emphasises the health and well-being of water bodies and freshwater ecosystems in contrast to the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future. This raises broader questions of integrated approaches to achieving water outcomes (e.g. under the RMA), equity and fairness, underpinned by a healthy water environment.

## Tātaritanga me ngā tohutohu Analysis and advice

17. The initial package of proposed wastewater standards specifically include:
  - discharges to water for a range of parameters and receiving environments, alongside a tailored standard for small wastewater treatment plants
  - discharges to land
  - beneficial reuse of biosolids
  - arrangements for wastewater network overflows and bypasses of wastewater treatment plants.
18. Other activities associated with wastewater (e.g. onsite wastewater treatment systems) will continue to be regulated through the existing resource consenting process. The Authority intends to establish an ongoing work programme to: evaluate how standards have been implemented; and, consider where additional standards may be appropriate or whether amendments are necessary.



19. Some generic matters apply to all proposed wastewater standards. Where the standards dictate the activity status for consenting, the public notification requirements for a consent may be limited or not required. Another consideration might be the interaction with regulatory restrictions on where potable water is sourced. Through the identification of critical source areas, it may be that wastewater discharges are otherwise not allowed or restricted. How cumulative effects are managed at and beyond a discharge point is also important.
20. The 'bundling' of consents for matters covered under the wastewater standards and other consents required under the RMA for the same proposal, may create some issues with the most onerous activity status being applied.
21. There are financial benefits for Watercare that could be realised from the proposed wastewater standards, as two of the largest wastewater treatment plants in the country are found in Auckland. Replacement of expiring consents will be required for them in the medium term. However, Watercare are mindful of the environmental outcomes that the people of Auckland seek.

## Discharges to water

### Overview of proposal

22. The proposed standard for discharges to water includes (summarised by the Authority in [Information-Sheet-Proposed-discharge-to-water-wastewater-standard.pdf](#)):
  - treatment limits for the main contaminants that are discharged by wastewater treatment plants, and are commonly subject to limits or monitoring arrangements in resource consents
  - different classes of receiving environment, for which there are different proposed limits
  - 'end of pipe' monitoring and reporting requirements for the treated discharge
  - sets separate treatment requirements tailored to small wastewater plants that service very small populations and have a minimal impact on the receiving environment.
23. For discharges to water, and to land, regional councils will not be able to introduce consent conditions that require either higher, or lower, levels of treatment. Monitoring and reporting requirements will also be set through consent conditions.

### Potential issues

24. This standard has drawn the most attention from council staff. It is the most used discharge method and potentially having the most consequential effect on broader values.
25. The key question is whether the proposed wastewater standards achieve the aim of cost efficiencies (treatment plant infrastructure design, investment planning, consenting, monitoring etc) without those costs being borne by the natural environment. The current treatment applied at some wastewater plants in the Auckland region is likely to be higher than what is proposed for the main contaminants. This could result in reduced treatment levels over time, depending on other consent conditions not captured by the standards. Alternatively, the proposed standards may prioritise upgrades to smaller treatment plants where they were below the proposed wastewater standard for the main contaminants. Overall, staff are uncertain about whether appropriate environmental outcomes would be achieved in all receiving environments.

26. Further evaluation is necessary. Should a regulator (regional council) have scope to require more stringent levels than the national wastewater standards, as is the case with National Environmental Standards under the RMA? Would that create an unreasonable level of uncertainty and cost for network operators in terms of preparing their consent applications, where they would normally explore alternative approaches that would be fit for purpose over the longer term. Conversely, would there generally be support for less onerous treatment approaches?
27. The proposed limit thresholds for the main contaminants raises some concerns regarding the national guideline values used (i.e. ANZECC 2000) as a comparator for the proposals. They have been superseded by guideline values based on biophysical environment categories (ANZG 2018). The monitoring requirements are not necessarily fit for purpose (e.g. annual median values for each contaminant specified). Requiring receiving environment monitoring (where appropriate) would enable an assessment of whether the standards are achieving the expected environmental outcomes. Production of guidance material may address some of these issues.
28. Once a consent is issued, it will be important to ensure that the regulator can review conditions to address significant adverse effects that might arise. Adequate compliance and enforcement tools will also need to be available, including additional reporting obligations. Where the discharge limits (at 'end of pipe') are expressed as 'annual medium' values for the specified contaminant, other measures may be needed (e.g. maximum discharges) if annual median discharges create pollution spikes affecting public health and sensitive environments, or don't recognising how degraded receiving environments need improvement.
29. The assumption that small treatment plants have little environmental impact is site dependent. Discharges are often from oxidation ponds to streams and small rivers, where cumulative impacts can be significant. Some of these systems may have fluctuations in the populations they serve. Some discharge points are in small streams, which are subject to low flow conditions during warmer months. Some flexibility may be needed in terms of how the standards are framed and what consent conditions could be applied while also recognising that the cost burden on small communities.

## Discharges to land

### Overview of proposal

30. The proposed standard for discharges to land is based on a site-specific risk assessment and includes (see the Authority's overview in [Information-Sheet-Proposed-discharge-to-land-wastewater-standard.pdf](#)):
  - a framework for identifying areas of land appropriate for land application and classifying its risk
  - treatment requirements for wastewater that is discharged to land
  - monitoring and reporting requirements, including for soil and water at and around the discharge site.

### Potential issues

31. While a risk-based approach could be supported in principle, staff have identified some potential deficiencies in the wastewater standard. Based on experience within the Auckland region, one of the most significant challenges with wastewater discharges to land systems is inadequate risk/site assessments. Without a standardised approach, wastewater discharge to land may be poorly managed, leading to significant environmental and regulatory challenges.

32. The design of the land treatment system is important to its operation, performance and avoidance of adverse effects on the environment. Staff support the development of Management and Operation Plans as a requirement of all consents that seek to discharge to land, including monitoring and reporting requirements. A further consideration is that there is no wastewater quality monitoring specific to the discharge, at the end of pipe. Without such consent condition monitoring compliance with the standards is not able to be demonstrated.
33. Adequate consideration of soil moisture levels, seasonal factors, and storage buffers are common features for other land disposal systems (e.g. dairy effluent standards).
34. Regional councils can set appropriate limits for the contaminants not considered by the standard (i.e. Total Nitrogen, Total Phosphorus, and E. coli).
35. The council owns and operates small on-site treatment systems (e.g. Piha). Some connect to multiple sites with one discharge point. The submission seeks to ensure that these systems are not encompassed by the proposed wastewater standards, as intended.

## Beneficial reuse of biosolids

### Overview of proposal

36. The proposed standard for beneficial reuse of biosolids includes (see the Authority's overview in [Information-Sheet-Proposed-beneficial-reuse-of-biosolids-wastewater-standard.pdf](#)):
  - a grading system for processing biosolids, with corresponding activity status (Permitted, Controlled, Restricted Discretionary) under the RMA, for how and where biosolids can be reused
  - additional treatment requirements and mitigation measures where biosolids have a lower grade
  - monitoring and reporting requirements, which correspond with the grade of biosolids.
37. The grading framework will set the consent requirements for different grades of biosolids, with the highest grade not requiring a resource consent to be applied to land (i.e., a permitted activity).
38. The Authority based its proposed standard on the *Guidelines for the Safe Application of Biosolids to Land in New Zealand*. A review of these guidelines coordinated by Water New Zealand has just been completed.

### Potential issues

39. The proposed standard is largely consistent with the Auckland Unitary Plan provisions. Consenting pathways are based on their categorisation grade. Qualifying criteria could be explored to see whether any enhancements to examples used across the country are needed (e.g. avoid groundwater or surface water contamination, cultural sites, buffer requirements, proximity to supplementary land uses such as food production or residential areas). Baseline and subsequent soil testing should be a feature of assessing any adverse impacts from such discharges.
40. The biosolid produced in Mangere Wastewater Treatment Plant is used as infill at Puketutu Island's land rehabilitation. It is expected to be completed by 2033. Encouraging other uses for biosolids is supported.

## Wastewater network overflows and bypasses of wastewater treatment plants

### Overview of proposal

41. The proposed standard for wastewater network overflows and bypasses includes (see the Authority's overview in [Information-Sheet-Proposed-managing-overflows-and-bypasses-wastewater-standard.pdf](#)):
- requirements for network operators to develop wastewater risk management plans, to identify where overflows and bypasses are a risk, and how they should be managed
  - monitoring and reporting requirements for overflows and bypasses from wastewater networks
  - classification of overflows and bypasses as controlled activities.
42. Regional councils will continue to control how adverse effects of overflows and bypasses on the natural environment are managed, via controlled activity consent applications. Currently, only a few councils (including Auckland) manage network overflows via consent. In about 50% of the other regions overflows are a prohibited activity, with discharges only provided for under emergency provisions (section 330 of the RMA).

### Potential issues

43. Staff consider that the proposed definition of bypass should be simplified and separated out from a discrete definition of 'engineered overflow point'. Different definitions for dry and wet weather overflows should also be considered.
44. Central government should obtain further collective input from specialist regulatory compliance staff and Watercare staff, in ensuring that controlled activity criteria in the Auckland Unitary Plan are understood (e.g. the approval process for new Engineering Overflow Points or historic assessment of those Engineering Overflow Points exceeding discharge frequency limits). Staff support the use of wastewater risk management plans, along with appropriate guidance documentation.
45. Staff consider that a minimum standard of treatment for bypass systems should be considered (i.e. screening).
46. Staff are supportive of monitoring requirements being dependent on the type of overflow point, and the use of telemetric (continuous) monitoring. Watercare would not expect this to extend to manhole covers, of which there are many, unless overflows are happening often at specific sites.

## Tauākī whakaaweawe āhuarangi Climate impact statement

47. The proposed wastewater standards take a risk-based approach to cater for elements of climate impacts. The wastewater standards can be reviewed should monitoring information indicate the standards are not meeting acceptable environmental outcomes.
48. Consents will be issued for 35 years and some forms of wastewater infrastructure generally lasting for up to 100 years. Therefore, it is important to ensure that any decisions made through the wastewater standards are fit for purpose for the longer term. Over time climate influences will become more significant and will vary at different sites. While financial costs may be reduced because of efficiencies in consenting, design, and monitoring, there is a risk that environmental outcomes, exacerbated by climate change, may not be sustained or improved over the longer term. Review of consent conditions under wastewater standards should be explicit.
49. Some ability to ensure that climate change influences can be responded to through 'risk management plans' (e.g. overflows and bypasses) or 'operational management plans' (discharges to land) may assist, within the wastewater standards adopted.

50. Presumably, if Watercare wishes to operate its infrastructure to higher standards than the proposed standards to recognise factors such as climate change, it is not prevented from doing so. The 'least cost' principle, which is an expectation of the water services legislation and the Watercare Charter, should not cut across a need to cater for climate change implications.

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

51. Staff were invited to contribute to the identification of issues at two initial meetings on 14 and 17 March 2025. Houkura Secretariat staff also attended. Staff from a wide range of council departments and Watercare participated in the meetings.
52. An Auckland Council group staff virtual meeting was held with the Authority on 20 March 2025. A further meeting between council and Watercare staff was held on 25 and 28 March 2025 to discuss their observations to feed into the draft submission.
53. There are a wide range of views across the organisation. Both at a fundamental level as well as an implementation level. A holistic approach has been taken to this submission.
54. While the financial structural separation of three water services has not come to fruition, the legislation passed in recent years has created a distinct, yet separate operational environment (i.e., RMA and Water Services Act) with inadequate consideration of integration to achieve the purpose of both paradigms. Nevertheless, it is still possible to raise through this submission areas where some commonalities can be better addressed and potential remedies recognised.
55. Subsequent meetings have been held with Watercare and other key departmental staff in late March, prior to this report being finalised, to identify the main areas of interest to raise at committee. Departmental and Watercare staff will have an opportunity to view the final council group submission prior to forwarding it (around 18 April 2025) to the delegated authorisers from this committee for approval.

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

56. An information memo from staff overviewing the proposals was circulated to all local board members on 14 March 2025. A virtual briefing to all local board members was held on 31 March 2025. Feedback from local boards was sought prior to 4 April 2025 to help inform the draft submission and convey any relevant insights.
57. The Authority claims that the proposed standards are not a 'one-size-fits-all' approach, given that a risk-based approach is promoted through the standards such as:
- different categories of receiving environments for water discharges (e.g. lakes/wetlands, rivers, estuaries, low energy coastal and open ocean with different sensitivities), as well as a tailored approach for small wastewater treatment plants
  - risk-based assessment of land types for discharges to land
  - a more permissive approach to consent activity status for highly processed biosolids being applied to land, in contrast to less processed biosolids
  - proportionate monitoring and reporting requirements.
58. Feedback was received from several local boards prior to the Policy and Planning Committee (see Attachment B), and other observations will be noted at the committee meeting for those received after this report's completion. Staff will incorporate relevant themes and/or insights from local boards into the draft submission.

59. Some smaller wastewater treatment plants operated by Watercare may need further consideration in terms of how the proposed standards could affect their operations. Including, whether the site of water discharge may be in an area of low dilution or a sensitive receiving environment. This may warrant highlighting in the submission.
60. A further consideration is whether the wastewater standards act as a catalyst to providing wastewater services in high urban growth areas, given capacity constraints. The pressure of growth on environmental outcomes remains a concern.

### **Tauākī whakaaweawe Māori** **Māori impact statement**

61. The Authority's staff were asked at the council group staff presentation on 20 March 2025, which mana whenua had been contacted in the Auckland region prior to or during the engagement period. In reply, none were likely involved in any development of the proposals. However, the Authority's staff indicated that they were intending to meet with a representative from Ngāti Whātua Ōrākei in the week commencing 24 March 2025.
62. Iwi authorities and mataawaka entities were contacted by council staff on 11 March 2025 to advise them of the discussion document and the opportunity to submit directly to the Authority, and/or provide any feedback to staff coordinating this submission. No feedback was received prior to the agenda closing for this committee meeting. At the same time, council staff have been working with the Secretariat staff for Houkura to reflect any views that they wished to add to the council staff advice in time for this committee meeting.
63. Māori perspectives on wastewater are underpinned by the belief that water is a taonga and that the health and wellbeing of people is directly connected to the health and wellbeing of waterbodies. This connection requires mana whenua to practice kaitiakitanga and actively protect and care for waterbodies in their rohe.
64. Staff acknowledge the insights outlined in the *Report on the Wastewater Treatment arrangements that respond to Māori values*, which supports the Authority's consultation.
65. Staff support shifts that enable local place-based decision-making and Māori-led innovation relating to wastewater management. Standards should not adversely impact Treaty settlement outcomes, or wider council relationship mechanisms with council's Māori partners. For example, the council has recognised through the Auckland Unitary Plan a 'Mana Whenua Management Precinct' which applies to Whātāpaka Creek and Pūkaki-Waiokauri Creek. Both areas are recognised as Māori reservations under Te Ture Whenua Māori Act 1993. The intent of the rules applying to that precinct is to avoid direct discharges that may have an adverse effect on the values and uses of these areas by marae and associated papakāinga.
66. Several components of the consultation document recognise local government obligations to engage meaningfully with mana whenua and Māori communities. This includes requirements to engage with iwi/hapū on any changes to wastewater management regarding human waste, wider impacts of wastewater management to wāhi tapu, urupā and wāhi tipuna and mana whenua engagement on council monitoring and reporting on compliance with consents. Staff support meaningful Crown engagement with mana whenua in Tāmaki Makaurau to ensure their clear understanding of the proposals outlined within the consultation documents.

## Ngā ritenga ā-pūtea Financial implications

67. The Authority suggests that the introduction of the proposed wastewater standards will result in cost savings nationally. The extent of any such savings will vary according to the current infrastructure and state to which wastewater discharges are managed in each region. Auckland's infrastructure and treatment approaches in general are likely to be more advanced than most other public networks.
68. In the time available to prepare this report, staff have not been able to assess the costs and benefits arising from the proposals in any detail. Depending on relativity between current practice and the proposed wastewater standard, there may be an incentive to revert to a lower discharge standard for financial reasons, while at the same time imposing costs to the environment. Watercare considers that, within the scope of the proposals as it stands, there are financial benefits that could be realised. It would also inform the longer term use of some smaller treatment plants and the nature and extent of future upgrades.
69. The costs and benefits will change over time with likely costs and benefits falling as follows:
- Technical assessments needing to be completed prior to consent applications being lodged, to aid assessment from a risk-based approach (e.g. discharges to land, biosolids reuse). These costs would largely fall to consent applicants and would have been expected when applying for a replacement consent, even without the proposed wastewater standards.
  - Ensuring that consenting staff can easily integrate decision processes undertaken under the wastewater standards, with those consenting decisions required to be made in accordance with the Auckland Unitary Plan and other relevant matters. For a regulator, there may be some upfront costs to adapt technology systems for consent processing followed by efficiency gains in the form of time savings.
  - Monitoring and reporting obligations will need some reassessment. The Auckland region is likely to have a basis from which to work from, as opposed to network operators in other regions who may have less capabilities or existing approaches in place (e.g. network overflow management planning).
  - Most costs associated with operational implementation of the wastewater standards will reside with Watercare as the network operator. However, transitional costs will also be borne by council's consenting and regulatory compliance functions.
  - There may be other short term re-work costs required by planning staff in considering future issues and options for implementation of the National Policy Statement for Freshwater Management. However, given the ongoing reform of resource management legislation more generally, this is expected to be relatively insignificant
  - Medium term benefits will most likely eventuate as a few new consents are required, and design and consenting requirements are clearer to applicants, council staff, and other interested parties. This would certainly apply to the two largest wastewater treatment plants in the country, both being in the Auckland region. Benefits may also result from having more certainty regarding likely consent decisions, as that affects design and construction needs (standardisation savings), based on more confident infrastructure investment planning.

## Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

70. The engagement period (7 weeks) and submission preparation time for the council group has not enabled a full review of the proposed standards, in terms of their operational implications, and interaction with other legislative changes or existing regulatory requirements. The Authority's staff noted that they were similarly constrained in finalising advice to the Minister once the submission closing date had passed. Central government wants to make progress on the standards immediately after the Local Government (Water Services) Bill is passed. That is envisaged by August 2025.
71. Putting to the committee the nature of the proposals, and the likely council submission themes in reply, will help refine the draft submission being prepared. Staff will ensure that relevant committee discussion is appropriately reflected in the final submission presented to the delegated authorisers.
72. Legislative reforms are creating a changing operational environment. Implementation of such reforms to a sector involved in significant infrastructure with many longer-term investment horizons requires adequate lead-in times. Similarly, ground-truthing the reforms with the values for the Auckland region will likely raise queries as to how the use of national standards to enable cultural, economic, social and environmental values to be reconciled in a fair and equitable way. Specifically, will environmental outcomes be adequately addressed where some legacy wastewater treatment practices or infrastructure need improvement? Will the wastewater standards incentivise this universally, while considering reasonable or least cost principles?
73. Some of these risks can be mitigated. Suggestions can be made in the submission; while also considering what the council group can do to reduce the administrative confusion the wastewater standards could introduce. Issues and potential mitigations include:
- The almost immediate effect of the wastewater standards following gazettal around August 2025. The impact will only be on new works or replacement consent applications as existing consents expire. However, a longer period before they have effect would allow adequate assessment of what impacts the proposed standards would mean for different council functions.<sup>14</sup> Operational programmes and funding arrangements can then be revised to align with the standards.
  - Assessing what research and monitoring is required in the future. Multiple paradigms and regulatory instruments may need reconciliation or express recognition, in addition to the production of guidance material for monitoring activities.
  - Greater involvement, from across the council group, in the development of the second package of wastewater standards, where that is likely to affect private networks and/or any refinements to the wastewater standards put through in the initial package.
74. Regional councils around the country have put considerable effort into preparing to implement the National Policy Statement for Freshwater Management (NPSFM). However, the NPSFM has been subject to repeated central government reforms over the last decade. The proposed plan change to give effect to the NPSFM for the Auckland region has been deferred until 2027.

<sup>14</sup> Principally the consenting and compliance function and Watercare as the network operator, as the key implementer of the wastewater standards.



75. A further revision of the NPSFM is scheduled for late 2025. Auckland Council has been making progress on understanding baseline attribute states for various contaminants. It has also been developing issues and options documents to inform the NPSFM plan change to the Auckland Unitary Plan. Wastewater discharges have been considered through an issues and options developmental process, including for the various main contaminants involved in the wastewater standards. Some re-work will be required. Achieving outcomes required by the NPSFM will need to consider how activities undertaken in accordance with the wastewater standards will potentially constraint what can be achieved through public wastewater networks.
76. Resource management reform under the RMA, as recently announced by central government on 28 March 2025, will similarly affect how national direction is pursued regionally.

## Ngā koringa ā-muri

### Next steps

77. Staff will finalise the attached draft submission following the Policy and Planning Committee meeting. Further changes are being identified by technical staff in the lead up to the committee meeting. A final version considering committee views will be provided to the delegated authorisers for their approval. The closing date for submissions is 24 April 2025.
78. Central government have advised that it intends to finalise the wastewater standards by the end of 2025. Staff will recommend more time is needed for regulators and network operators to understand any new obligations over the transition period. After the gazettal of the wastewater standards, they will apply for new consenting of relevant activities, and immediately in the case of any new wastewater activities encompassed by the standards.
79. The Finance and Expenditure Select Committee is currently also considering changes to section 138 of the WSA, which will have a bearing on how the wastewater standards are applied through resource management legislative mechanisms.

## Ngā tāpirihanga

### Attachments

No.	Title	Page
A⇒	Draft council submission, wastewater standards	
B⇒	Local board feedback to Policy and Planning Committee, wastewater standards	

## Ngā kaihaina

### Signatories

Authors	Dave Allen - Manager Natural Environment Strategy Andrew Millar - Principal Analyst Natural Environment Strategy
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## Auckland Council submission on the Term of Parliament (Enabling 4-year Term) Legislation Amendment Bill

File No.: CP2025/04924

Item 15

### Te take mō te pūrongo

#### Purpose of the report

1. To approve the Auckland Council submission (attachment A) to the Justice Select Committee on the Term of Parliament (Enabling 4-year Term) Legislation Amendment Bill (the Bill).

### Whakarāpopototanga matua

#### Executive summary

2. The [Term of Parliament \(Enabling 4-year Term\) Legislation Amendment Bill](#) proposes a mechanism for extending New Zealand's parliamentary term from three to four years, subject to a binding referendum.
3. Rather than mandating a permanent change, this would allow Parliament to extend its term only if select committees reflect a proportionality requirement. This means the membership of select committees will be proportional to the number of non-executive members in each party. Executive members are Ministers and Parliamentary Under Secretaries. The intention is for this to result in opposition parties being in the majority on select committees, thus increasing scrutiny by opposition parties.
4. Supporters argue a four-year term enables better policymaking and project delivery, while opponents highlight reduced electoral accountability. New Zealand's three-year term is rare globally, and past referendums have opposed extending it, though recent reviews suggest shifting public sentiment.
5. A key consideration for Auckland Council is the potential impact on local election cycles. There could be years where local and central elections coincide, which could impact voter engagement. Fixed parliamentary terms would benefit the alignment of local election timing.
6. A report to the March 2025 local board business meetings sought feedback on a council submission on the Bill. 19 of the 21 local boards provided feedback on the Bill. Local board views have been summarised in the analysis and advice section of this report and are found in full in attachment B.
7. This report asks the Policy and Planning Committee to consider and approve the council's draft submission. The submission closing date is 17 April 2025.

### Ngā tūtohunga

#### Recommendation/s

That the Policy and Planning Committee:

- a) whiwhi / receive local board feedback in Attachment B and any further feedback tabled at the meeting.
- b) whakaae / approve the council submission on the Term of Parliament (Enabling 4-year Term) Legislation Amendment Bill (Attachment A of the agenda report) including the following high-level themes:
  - i) support for a referendum on a four-year parliamentary term with the following recommendations
    - A) it is a fixed four-year term (i.e. is not variable between three and four years)
    - B) local government term of office should be of the same length and included in the referendum.

- c) tāpae / delegate authority to the Chair and Deputy Chair of the Policy and Planning Committee and a member of Houkura - Independent Māori Statutory Board to approve any changes resultant from this meeting and the final submission ahead of the 17 April 2025 deadline.
- d) tāpae / delegate to the Chair and Deputy Chair of the Policy and Planning Committee to speak to the council's submission as part of the select committee process.
- e) tuhi tīpoka / note the final submission will be circulated to members following 17 April 2025.

## Horopaki Context

### Overview of the Bill

- 8. The Bill proposes a mechanism to extend the current three-year parliamentary term to four years, subject to a binding referendum.
- 9. The Bill doesn't automatically change the term to four years. Instead, Parliament can choose to extend its term from three to four years if select committees are structured in a way which gives parties without executive members a majority over parties with executive members. To make this happen, Parliament must pass a resolution within the first three months of a new term stating that the proportionality requirement has been met, and the Governor-General must then issue a proclamation.
- 10. Executive members are defined to be Ministers or Parliamentary Under-Secretaries. The effect of the mechanism is that the majority of Select Committee members will be comprised of opposition parties in order to enhance scrutiny of legislation proposed by the government.

### Key considerations

- 11. The changes proposed in the Bill could result in local government elections getting out of sync with parliamentary elections. This is relevant to Auckland's voting population.
- 12. Arguments in favour of a four-year term include allowing for a more deliberate and considered legislative process, reducing the frequency of election cycles, and providing governments with a longer timeframe to implement policy.
- 13. Arguments against a four-year term highlight concerns around democratic accountability. A longer term would mean elected representatives face elections less frequently, shifting accountability from a three-year to a four-year cycle.
- 14. Additionally, New Zealand's constitutional framework differs from jurisdictions with stronger checks and balances, such as an upper and lower house or a clearer separation of executive and legislative powers. In New Zealand, the executive is formed from the majority party in Parliament and drives the legislative agenda. Parliament holds the executive to account through question time and select committees scrutinise law proposed by the government.
- 15. To address concerns around accountability, the Bill strengthens the scrutiny of legislation by select committees by effectively requiring their composition to consist of a majority of opposition members.
- 16. Regardless of the merits of what is proposed, the key question for local government is whether terms of office for local government members and for members of parliament should be of the same length.

### History of New Zealand Parliamentary terms

- 17. New Zealand originally had a five-year parliamentary term, in line with [Britain](#). In 1879, it was reduced to three years following the abolition of provincial governments, as there were concerns about the concentration of power at the central level. Reducing the term ensured more frequent electoral accountability.

18. Two non-binding referendums on extending the term—held in 1967 and 1990—both resulted in strong opposition. Both referendums saw large majorities opposed to extending the term to four years.
19. Recent reviews, including the 2013 Constitutional Advisory Panel and the [2023 Independent Electoral Review](#), suggest public opinion may be shifting towards a four-year term.
20. A key change since the last referendum was the introduction of the Mixed-Member Proportional (MMP) system in 1993, which increased proportional representation and strengthened the role of smaller parties in governance. While MMP has enhanced legislative scrutiny, concerns remain about reduced accountability if the term is extended.
21. The Constitutional Advisory Panel in 2013 found that public support for a four-year term was contingent on improved legislative scrutiny and accountability measures, such as more referenda, better human rights assessments, and the introduction of an upper house. The panel emphasised that any extension should be decided by referendum.
22. The Independent Electoral Review (IER), set up in 2022, also assessed the term length and found arguments for and against a four-year term to be finely balanced.

### International context

23. New Zealand’s three-year parliamentary term is rare internationally. In 183 countries with elected lower houses or unicameral parliaments, only eight have a term of three years or less, 72 have a four-year term, 99 have a five-year term and four have a six-year term.
24. In general, parliaments (whether unicameral or bicameral) have a four-year or five-year term including both the United Kingdom (with Westminster-style of Parliament and Executive, headed by a sovereign) and Germany (with an MMP electoral system), from which New Zealand’s system is based.
25. The following table is a summary of selected commonwealth countries and the USA:

Country	Parliament	Local
<b>UK</b>	House of Commons: 5 years House of Lords: not elected	
- <b>England</b>	-	4 years
- <b>Wales</b>	5 years	5 years
- <b>Scotland</b>	5 years	5 years
- <b>Northern Ireland</b>	5 years	5 years

Country	Federal	State / Provincial	Municipal / Local
<b>Australia</b>	House - 3 years (considering changing to a four-year term, referendum date TBC) Senate - 3 years	4, 6 or 8 years	4 years
<b>Canada</b>	House - 4 years (5 years max.) Senate – appointed with no fixed term length	4 years (mostly)	4 years (mostly)
<b>United States of America</b>	President - 4 years House - 2 years Senate - 6 years (elections every 2 years)	Governor - 4 years (mostly) House - 2 years (mostly) Senate - 4 years (mostly)	4 years (mostly)

## Tātaritanga me ngā tohutohu Analysis and advice

26. The council submission on the Bill can be found in attachment A for approval of this committee and is summarised in the below subsections.
27. Identified issues with a three-year parliamentary term include:
  - a) Inefficiencies (direct and opportunity)

Direct costs on the Crown include a general election every three years and opportunity costs include political time spent campaigning for an upcoming election in the third year of a term; leaving one year for a government to establish itself and one year for the day-to-day of executive function of Parliament.
  - b) Policy short-termism

Research<sup>15</sup> shows that a shorter election cycle has a meaningful impact on MPs' likelihood to progress major reforms, contributing to voter disenfranchisement in results following an election. Short-term planning and key government policies on three-year cycles are a natural consequence of a shorter term.
  - c) Quality of law-making

Concerns with shorter terms question the ability for a government to develop well-rounded and well-tested policy. Good law-making benefits from government scrutiny and well-informed public engagement. Public engagement is commonly limited to six weeks on draft policy and an increasing use of urgency<sup>16</sup> is often pursued by governments that have significant policy they wish to enact and is of concern for political actors and observers.
28. There is little research or evidence suggesting that extending the term from three years to four years would effectively resolve the issues associated with a three-year term. Ultimately, public support should be the deciding factor.
29. It is notable that a three-year term is rare among democracies in the global context.

### Implications for local government

30. When elections are held, the community elects their representatives who hold office until the following elections, at which time the elected representatives are accountable back to the electors for their performance, who may, or may not, re-elect them.
31. At central government level, candidates are associated with political parties and it is the performance of parties, rather than individual representatives, which is the subject of commentary and the judgement of electors. Frequent changes of political party, and associated policy changes, can be unsettling for the electorate.
32. For local government, the effect of policy swings arising from a change of political party (or ticket) in power is not usually as pronounced. Nevertheless, there is still a sense of short-termism which is exhibited in planning cycles being three-yearly and every third year being interrupted by an election and its associated distractions, including the need to campaign.
33. But perhaps the key implication for local government is the constitutional one. If the electorate is comfortable with its elected parliamentary representatives being accountable every four years rather than every three years, it makes sense for this to apply also to local government elected representatives. There is no obvious reason for local government elected representatives to be more frequently accountable to the electorate than members of parliament.

<sup>15</sup> As cited in the [regulatory impact statement](#) on the Bill

<sup>16</sup> Use of urgency within a Parliamentary term has been increasing since 2017

34. Practical implications arise from central and local government terms having different lengths if elections vary from falling on the same years occasionally to different years at other times.

### Local board views on the Bill

35. A report to the March 2025 local board business meetings sought feedback on a council submission on the Bill. 19 of the 21 local boards provided feedback on the Bill. Local board views have been summarised below and are found in full in attachment B.
36. Some local boards have supported greater accountability for central government to accompany an extension to a four-year term, either supporting the proportionality requirement or an entrenchment of the New Zealand Bill of Human Rights Act 1990 (BORA), but do not support these provisions being a contingency for an extension of the parliamentary term.
37. Some local boards highlight concerns that a four-year parliamentary term could reduce civic engagement, as voters may feel they have fewer opportunities to influence government decisions. To counter this, they suggest stronger civic education initiatives and more structured public consultation to maintain democratic participation between elections. Some boards propose enhanced parliamentary oversight, mid-term reviews, or provisions for early elections under exceptional circumstances to ensure continued accountability.
38. Feedback from local boards has strongly recommended due consideration be given to the impact that any amendments to the parliamentary term would have on local government elections, some raising concerns around the creation of confusion for voters and others noting the advantages of synchronised cycles between local and central government.
39. Local boards also note the potential impact on local advocacy and funding. With a longer parliamentary cycle, there is a risk that local priorities may be sidelined for extended periods. To address this, some suggest formal mechanisms for ensuring ongoing collaboration between central and local government. Furthermore, there are concerns that extending the term length could deter a diverse range of candidates from standing for office due to the increased time commitment. Boards emphasise the importance of supporting political participation to ensure that a four-year term does not inadvertently limit representation.
40. In addition to recommending consideration of the interaction of local and central elections, local boards have also taken the opportunity to underline their support for a four-year local government term, with many agreeing support for the parliamentary four-year term if the local government term is also extended. Largely, local boards support the extension to a four-year term to allow for increased ability to engage in long-term planning and resource commitments and well as reduction in direct and opportunity costs.

### Support for a public referendum to be held at the 2026 general election

41. Amending the Constitution Act 1986 and the Electoral Act 1993 to change the parliamentary term length is a significant constitutional matter, requiring a referendum or 75 per cent MP support, with the former being the most likely path.
42. While past referendums in 1967 and 1990 showed strong opposition to a four-year term, recent feedback from constitutional and electoral reviews, as well as recent polling on support for local government terms<sup>17</sup>, suggests a possible shift in public opinion.
43. The council's submission agrees it is timely to put this to the community again.

<sup>17</sup> <https://www.lgnz.co.nz/news/media-releases/support-for-council-four-year-term/>

## Tauākī whakaaweawe āhuarangi Climate impact statement

44. This report presents the council's submission on the Bill to the Policy and Planning Committee. While the submission itself has no direct climate impact, extending parliamentary and local government terms could lead to a small reduction in paper usage and transport requirements for voting papers.
45. A longer government term could enhance long-term planning, potentially leading to positive climate impacts.

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

46. The council group is not directly affected by the proposed change. However, if local and central elections were to coincide, or if the local government term were to be amended to a four-year term, further analysis of the potential impacts and opportunities would be necessary.

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

47. In February 2023, nine local boards provided feedback on the introduction of a four-year electoral term for local government in the [draft submission](#) of the *Future for Local Government* paper. Most supported a four-year term, though views on election sequencing varied. One board opposed aligning local and central elections, emphasising the importance of maintaining local focus.
48. In November 2024, local boards provided further feedback to inform the council's submission on the [LGNZ Electoral Reform Working Group Issues Paper](#) (Issue Five), which also addressed the four-year term. While most local boards supported the shift, there were differing views on election timing—some favoured aligning local and central elections, while others preferred a two-year gap. Local board views are compiled [here](#).
49. A report to the March 2025 local board business meetings sought feedback on a council submission on the Bill. 19 of the 21 local boards provided feedback on the Bill. Local board views have been summarised in the analysis and advice section of this report and are found in full in attachment B.

## Tauākī whakaaweawe Māori Māori impact statement

50. The Houkura – Independent Māori Statutory Schedule of Issues of Significance identifies the follow matters of importance to Māori in Tāmaki Makaurau that align with the reform:
  - Māori representation: Māori are enabled to contribute to the long-term future of Auckland Council actively and meaningfully through representation on Council.
  - Engagement/Consultation/Inclusion in decision-making: Māori are empowered to actively contribute to the development of Auckland, through consultation and inclusion in decision-making processes and future plans.
51. Māori have consistently advocated for developed relationships with elected members the reform programme may provide the opportunity for mana whenua and mataawaka to work on long-term strategic matters across a four-year electoral term.
52. Māori have consistently advocated for greater participation and scrutiny of central government policy-making processes. The report acknowledges that the Bill includes specific mechanisms to increase political scrutiny of legislation proposed by the government.



53. The Independent Electoral Review report supported a referendum on the parliamentary term supported by a well-resourced information campaign (including dedicated engagement with Māori as Tiriti o Waitangi/Treaty of Waitangi partners).
54. The council supports well developed Crown engagement with mana whenua and mataawaka in Tāmaki Makaurau to canvas their views on the Bill.

## 55. Ngā ritenga ā-pūtea

### Financial implications

56. The Bill does not impose any direct costs. Potential cost efficiencies could arise if central and local elections coincide.

## Ngā raru tūpono me ngā whakamaurutanga

### Risks and mitigations

57. This report identifies a primary risk for the council, namely the uncertainty arising from the potential misalignment of parliamentary and local government election cycles due to a variable parliamentary term and a fixed local government term. The proposed mitigation is to recommend a fixed term length of four years for both parliament and local government and that legislation aligns the two election cycles.

## Ngā koringa ā-muri

### Next steps

58. If the committee approves the draft submission (attachment A), staff will finalise and submit it to the Justice Select Committee by 17 April 2025.
59. If the committee wishes to make any amendments to the draft submission, staff will update the draft for approval and sign-off by the committee members delegated the authority to do so.
60. Staff will circulate the final submission on the Bill to all elected members following submission.

## Ngā tāpirihanga

### Attachments

No.	Title	Page
A⇒	Draft submission on the Term of Parliament (Enabling 4-year Term) Legislation Amendment Bill	
B⇒	Local board feedback on the Term of Parliament (Enabling 4-year Term) Legislation Amendment Bill	

## Ngā kaihaina

### Signatories

Author	Warwick McNaughton - Principal Advisor Governance
Authorisers	Oliver Roberts - Planning & Operations Manager Lou-Ann Ballantyne - General Manager Governance and Engagement Megan Tyler - Director Policy, Planning and Governance



## Status Update on Action Decisions from Policy and Planning Committee – 10 April 2025

File No.: CP2025/00855

Item 16

### Te take mō te pūrongo Purpose of the report

- To update the committee on action decisions made at the last meeting.

### Whakarāpopototanga matua Executive summary

- The information provided below is a status update on action decisions only that were made at the Policy and Planning Committee meeting on 13 March 2025:

Resolution Number	Item	Status
<a href="#">PEPCC/2025/16</a>	Proposed revocation of the reserve status of 2R Ti Rakau Drive, Pakuranga	Following the Committee's approval to request to the Minister of Conservation to revoke the reserve status of the land at 2R Ti Rākau Drive in Pakuranga, staff are preparing the necessary information to present to the Minister. This is shortly to be forwarded to the Minister through Council's Land Information New Zealand representative.
<a href="#">PEPCC/2025/17</a>	Auckland Council Group project list to be submitted to the Infrastructure Priorities Programme (Part of the National Infrastructure Plan)	The projects/programmes on the endorsed list will be reviewed by the General Manager Policy in early April for submission by 17 April 2025.  Letter of support to Rail level-crossing removal to be drafted for approval by the Director Policy, Planning and Governance.
<a href="#">PEPCC/2025/18</a>	Priority submissions for Auckland Council Group	Staff will prepare the approved submissions when consultations open and follow committee procedures for approval. The substantive submissions will be considered by the relevant committee. An email to share the approved priority list with iwi mana whenua is being prepared.
<a href="#">PEPCC/2025/19</a>	Auckland Unitary Plan - Private Plan Change Request to Rezone Land at 70, 70A and 70B Lisle Farm Drive, Pukekohe	This private plan change application is expected to be publicly notified for submissions on 24 April 2025, with a four-week submission period. Once, notified, the information may be viewed at the following <a href="#">link</a> .

Resolution Number	Item	Status
<a href="#">PEPCC/2025/20</a>	Auckland Unitary Plan – Making Plan Change 92 (Private) Wellsford North operative	The plan change will be made operative on 11 April 2025. The background information may be viewed at the following <a href="#">link</a> .

## Ngā tūtohunga Recommendation/s

That the Policy and Planning Committee:

- tuhi ā-taipitopito / note the status of decisions made at the 13 March 2025 meeting.

## Ngā tāpirihanga Attachments

There are no attachments for this report.

## Ngā kaihaina Signatories

Author	Sandra Gordon - Kaitohutohu Mana Whakahaere Matua / Senior Governance Advisor
Authoriser	Megan Tyler - Director Policy, Planning and Governance

## Summary of Policy and Planning Committee information memoranda, workshops and briefings (including the Forward Work Programme) – 10 April 2025

File No.: CP2025/00839

Item 17

### Te take mō te pūrongo Purpose of the report

1. To tuhi tīpoka / note the progress on the forward work programme appended as Attachment A.
2. To whiwhi / receive a summary and provide a public record of memoranda, workshop and briefing papers that may 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 memoranda/workshops and briefings or other means, where no decisions are required.
4. The following memoranda/information have been sent:

Date	Subject
11/3/2025	Memorandum - Update on exotic Caulerpa response
14/3/2025	Memorandum - Letter from Minister for RMA Reform to Mayor Brown
24/3/2025	Memorandum – Watercare’s metropolitan servicing strategy – public engagement timeline
March 2025	Watercare Metro servicing strategy engagement booklet
1/4/2025	Memorandum - Auckland Unitary Plan – plan change update

5. The following workshops/briefings have taken place for the committee:

Date	Subject
12/3/2025	Open Workshop: Natural Hazards Plan Change – draft stage Documents available on the Auckland Council website <a href="#">here</a> Recording of the workshop available <a href="#">here</a>
12/3/2025	Open Workshop: Auckland Council’s approach to community planning for climate disruption Documents available on the Auckland Council website <a href="#">here</a> Recording of the workshop available <a href="#">here</a>
17/3/2025	National Policy Statement for Freshwater Management Political Working Group

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 “Policy and 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’.
6. Note that, unlike an agenda report, **staff will not be present to answer questions about the items referred to in this summary.** Members should direct any questions to the authors.

## Ngā tūtohunga Recommendation/s

That the Policy and Planning Committee:

- a) tuhi tīpoka / note the progress on the forward work programme appended as Attachment A of the agenda report
- b) whiwhi / receive the Summary of Policy and Planning Committee information memoranda, workshops and briefings – 10 April 2025.

## Ngā tāpirihanga Attachments

No.	Title	Page
<a href="#">A⇒</a>	Policy and Planning Committee Forward Work Programme	
<a href="#">B⇒</a>	Memorandum - Update on exotic Caulerpa response, 11 March 2025 (Under Separate Cover)	
<a href="#">C⇒</a>	Memorandum - Letter from Minister for RMA Reform to Mayor Brown, 14 March 2025 (Under Separate Cover)	
<a href="#">D⇒</a>	Memorandum – Watercare’s metropolitan servicing strategy – public engagement timeline, 24 March 2025 (Under Separate Cover)	
<a href="#">E⇒</a>	Watercare Metro servicing strategy engagement booklet, March 2025 (Under Separate Cover)	
<a href="#">F⇒</a>	Memorandum - Auckland Unitary Plan – plan change update, 1 April 2025 (Under Separate Cover)	
<a href="#">G⇒</a>	National Policy Statement for Freshwater Management Political Working Group, 17 March 2025 (Under Separate Cover)	

## Ngā kaihaina Signatories

Author	Sandra Gordon - Kaitohutohu Mana Whakahaere Matua / Senior Governance Advisor
Authoriser	Megan Tyler - Director Policy, Planning and Governance