

# National Policy Statement on Urban Development - Auckland Council Preliminary Response - Endorsement For Public Engagement

File No.: CP2022/02718

## Matatapuanga Confidentiality

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| <b>Reason:</b>    | The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.  |
| <b>Interests:</b> | <p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.</p> <p>s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.</p> <p>In particular, the report contains the council's preliminary response to the National Policy Statement on Urban Development and Resource Management (Enabling Housing Supply and Other Matters) Act. The report has been informed by legal advice.</p> |
| <b>Grounds:</b>   | <p>s48(1)(a)</p> <p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>  |

## Te take mō te pūrongo Purpose of the report

1. The purpose of this report is to endorse the council's preliminary response to the National Policy Statement on Urban Development 2020 (NPS-UD) and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (the Amendment Act). Endorsement of the council's preliminary response will enable public engagement from mid-April to early May 2022 as previously approved by this committee.

## Whakarāpopototanga matua Executive summary

2. The NPS-UD and the Amendment Act require that a proposed intensification plan change (IP1) must be notified by 20 August 2022. The Planning Committee received a memorandum on the NPS-UD on 10 August 2020 and a report on the proposed work programme on 4 February 2021. Elected members have attended workshops and made decisions in 2021 and 2022 on preliminary policy directions to guide how the council will implement the NPS-UD. The chronology of workshops and committee meetings is set out in the overview report on the open section of the agenda. Resolutions of the committee associated with the NPS-UD are also included in the overview report.
3. A preliminary response to the NPS-UD has been prepared so that it can be made available to the public on the Auckland Have Your Say website. The preliminary response contains a series of maps that illustrate a zoning pattern that reflects the committee's resolutions to date. The series of maps are accessed via a Geographic Information System (GIS) viewer in Attachment A. The maps also illustrate locations where various qualifying matters endorsed by the committee would limit the height and/or density that would otherwise be enabled. It is intended that alongside the maps there will be information sheets that help explain the council's preliminary policy directions.

4. Since October 2021, local boards and mana whenua have been involved in helping the council develop its preliminary response. This report recommends that engagement with the public on the council's preliminary response takes place from mid-April to early May 2022. While this is a tight timeframe and coincides with Easter and school/university holidays, factors such as central government introducing major changes through the Amendment Act at the end of last year while retaining the 20 August 2022 deadline, and the impact of the Covid 19 pandemic, have made it impossible to engage with the public earlier than now. Extending the engagement period further into May runs a very high risk of the council being unable to meet the 20 August 2022 statutory deadline.
5. Feedback received from the public, together with the ongoing involvement of local boards and mana whenua, will greatly assist the council in finalising the IPI for notification by 20 August 2022.

## Ngā tūhunga Recommendation/s

That the Planning Committee:

- a) subject to b) endorse the council's preliminary response to the National Policy Statement on Urban Development 2020 and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 included as Attachment A of the agenda report, for the purpose of engagement with the public from mid-April to early May 2022
- b) agree that land within the Auckland Light Rail Study Corridor (or an area within the corridor) shown in Attachment E of the agenda report should be shown with its current zoning and identified as being "under investigation" in the council's preliminary response
- c) note that discussions are occurring between senior council and central government staff regarding issues associated with the timing of decisions on the Auckland Light Rail route and stops relative to the 20 August 2022 statutory deadline for notifying the Intensification Planning Instrument required under the National Policy Statement on Urban Development
- d) note that feedback will be sought on the following aspects of the National Policy Statement on Urban Development 2020, where the council has discretion:
  - i) the approach to, and extent of, walkable catchments around the city centre, metropolitan centres and rapid transit network stops as required under Policy 3(c)
  - ii) the approach to, and extent of, intensification of areas adjacent to the city, metropolitan, town, local and neighbourhood centres as required under Policy 3(d)
  - iii) the selection of, and approach to, "any other qualifying matters" that limit the height and density that would otherwise be required as enabled under Policy 4.
- e) note that feedback will not be sought on matters in the National Policy Statement on Urban Development and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 that are mandatory
- f) agree that Medium Density Residential Standards should not apply to Auckland's 23 rural and coastal settlements that do not meet the population threshold specified in the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (as set out in Attachment B of the agenda report)
- g) endorse for the purpose of public engagement on the council's preliminary response, the following approach to the Special Character Areas overlay in the Auckland Unitary Plan:
  - i) Special Character Areas Residential overlay - the retention as a qualifying matter, areas of high-quality special character value, being those areas in which 75% or more of individual properties score 5 or 6

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- ii) Special Character Areas Business overlay - the retention as a qualifying matter the following entire areas as currently shown in the Auckland Unitary Plan:
    - A) Balmoral Shopping Centre
    - B) Helensville
    - C) Howick
    - D) Sandringham
  - iii) Special Character Areas Business overlay - the retention as a qualifying matter the following areas, subject to a reduction in their extent as shown in Attachment D of the agenda report:
    - A) Devonport
    - B) Eden Valley
    - C) Grey Lynn
    - D) Kingsland
    - E) Lower Hinemoa Street
    - F) Mount Eden Village
    - G) Newmarket
    - H) Parnell
    - I) Ponsonby Road
    - J) Onehunga
    - K) Ōtāhuhu
    - L) West Lynn
    - M) Upper Symonds Street
  - iv) Special Character Areas Business overlay - the removal as a qualifying matter the entire Ellerslie area currently shown in the Auckland Unitary Plan
- h) agree that land within precincts contained in the Auckland Unitary Plan (that are within the scope of the intensification policies of the National Policy Statement on Urban Development) should be shown with their current zoning and identified as “under investigation” in the council’s preliminary response
  - i) note that staff at Auckland Transport and Watercare and within the council’s Healthy Waters department are undertaking further analysis on how constraints on existing infrastructure may be applied as a qualifying matter, but that this will not be included in the preliminary response maps, as that analysis is not yet complete
  - j) note that feedback on the council’s preliminary response will be presented to the Planning Committee at workshops and meetings in June and July 2022 to assist with the ongoing development of the Intensification Planning Instrument that must be notified by 20 August 2022
  - k) note that the section 32 analysis required under the Resource Management Act for the Intensification Planning Instrument is complex and work on capacity modelling, economic and planning analysis is continuing alongside the engagement on the council’s preliminary response
- Restatement
- l) agree that the report, attachments and the resolutions of the Planning Committee remain confidential until public engagement begins on the council’s preliminary response to the National Policy Statement on Urban Development 2020 and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

## Horopaki Context

6. The NPS-UD and the Amendment Act require that a proposed intensification plan change (IPI) must be notified by 20 August 2022. The Planning Committee received a memorandum on the NPS-UD on 10 August 2020 and a report on the proposed work programme on 4 February 2021. Elected members have attended workshops and made decisions in 2021 and 2022 on preliminary policy directions to guide how the council will implement the NPS-UD. The chronology of workshops and committee meetings is set out in the overview report on the open section of the agenda. Resolutions of the committee associated with the NPS-UD are also included in the overview report.
7. A preliminary response to the NPS-UD has been prepared so that it can be made available to the public on the Auckland Have Your Say website. The preliminary response contains a series of maps that illustrate a zoning pattern that reflects the committee's resolutions to date. The maps also illustrate locations where various qualifying matters endorsed by the committee would limit the height and/or density that would otherwise be enabled. It is intended that alongside the maps there will be information sheets that help explain the council's preliminary policy directions.
8. In August 2021 the committee approved an engagement approach which included workshops with local boards, the committee and mana whenua, and engagement with Aucklanders and key stakeholders, on council's preliminary response (PLA/2021/98). To that end, since October 2021, local boards and mana whenua have been involved in helping the council develop its preliminary response. This report recommends that engagement with the public on the council's preliminary response takes place from mid-April to early May 2022. While this is a tight timeframe and coincides with Easter and school/university holidays, factors such as central government introducing major changes through the Amendment Act at the end of last year while retaining the 20 August 2022 deadline, and the impact of the Covid 19 pandemic, have made it impossible to engage with the public earlier than now. Extending the engagement period further into May runs a very high risk of the council being unable to meet the 20 August 2022 statutory deadline.
9. Feedback received from the public, together with the ongoing involvement of local boards and mana whenua, will greatly assist the council in finalising the IPI for notification by 20 August 2022.

## Tātaritanga me ngā tohutohu Analysis and advice

### The council's preliminary response

10. The council's preliminary response (Attachment A) is illustrated in a series of maps that can be made available to the public in a Geographic Information System (GIS) viewer on the council's Auckland Have Your Say website. The GIS viewer shows where the zoning in Auckland may be changed to give effect to the NPS-UD and where qualifying matters that affect heights and/or density (and any other relevant MDRS that enable development) may apply.
11. The GIS viewer will be supported by information sheets that describe the process the council is following. There will be summaries of the preliminary policy response to walkable catchments and qualifying matters (those identified by the government and those identified by the council). The approach to intensification (policy 3 of the NPS-UD) will be described, as well as how this would be applied to different parts of Auckland. Some location-specific information sheets (such as one for the city centre) will be prepared. The AUP text of the new zone provisions will not be available for feedback, as this is still being prepared and tested.

### Settlements exempt from Medium Density Residential Standards

12. Tier 1 councils (including Auckland Council) are required to incorporate medium density residential objectives, policies and standards in all relevant residential zones. In Auckland the relevant residential zones in the AUP are the Single House, Mixed House Suburban, Mixed Housing Urban and Terrace Housing and Apartment Building Zones.
13. The council included in its submission on the Resource Management (Enabling Housing Supply and Other Matters) Bill that rural and coastal settlements should be exempt from the MDRS requirements. This part of the council's submission was successful, and the Amendment Act excludes MDRS from:
  - a) offshore islands
  - b) settlements with populations less than 5,000 people (as at the time of the 2018 census)
  - c) large lot residential, or rural and settlement zones.
14. Analysis of 2018 usually resident census data of settlements with a relevant residential zoning demonstrates that:
  - 23 of Auckland's smaller settlements had less than 5,000 people, and so MDRS will not be applied. Attachment B lists the excluded settlements.
  - four of Auckland's settlements had populations greater than 5,000 people. Subject to any qualifying matters, MDRS therefore apply to:
    - Pukekohe
    - Warkworth
    - Waiuku
    - Beachlands (note: Maraetai is a separate settlement whose population is too small for MDRS to apply).
15. The small settlements excluded from MDRS are proposed to be shown with their operative AUP zoning in the council's preliminary response. The Amendment Act gives council discretion to apply MDRS to relevant residentially zoned settlements with a population under 5,000, if it is appropriate to enable intensification in that settlement. It is recommended that MDRS are not applied in any of the 23 small settlements, as they are not well supported by public transport and bulk water infrastructure. This is not a matter that has been specifically addressed by the committee to date.

### **Special Character Areas – Residential and Business**

16. In July 2021, the committee resolved that Special Character Areas (SCA) identified in the AUP that are "of high-quality" should be a qualifying matter under Subpart 6 3.32(1) of the NPS-UD. As a caveat, the committee resolved that where this approach has a significant impact on development capacity, a combination of a planning and heritage assessment should be undertaken. A site-by-site assessment of all SCA properties has subsequently been undertaken, being 21,120 SCA Residential and 1,682 SCA Business properties.

### **Special Character Areas – Residential**

17. Individual properties within the SCA Residential were assessed in relation to five criteria based on the values of SCA Residential identified in the AUP, being:
  - i) Scale
  - ii) Relationship to street
  - iii) Period of development
  - iv) Typology
  - v) Architectural style.
18. Each criterion was marked as contributing, neutral or detracting, with one point awarded for each contributing criterion. An additional point (or loss of a point) was determined by the integrity of the property, with each property given an overall score of up to six. Data for

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individual properties was then aggregated into an area-based percentage. Areas with at least 75% of properties scoring five or six points were determined to be high quality.<sup>1</sup>

19. A score of five or six points means that the property contributes strongly to the special character values of the area. This, along with the 75% threshold, ensures that the area is cohesive and consistently conveys its values, and is therefore of a high quality. The “areas” are defined by the existing SCA Residential areas that they are identified in the AUP (for example, Isthmus A or B), as well as the underlying historic subdivision patterns and more recent patterns of development.
20. The methodology developed for assessment of the survey results also allowed for areas that were not high quality to be subject to an additional, finer-grained analysis. The purpose of this analysis was to identify if there were sub-areas within the larger area that are of high-quality. Where it was determined SCA Residential was not high quality, the identification of potential historic heritage areas was also considered. Three potential historic heritage areas have been identified where the SCA Residential areas are not assessed as high quality. These areas are currently being evaluated to confirm if they meet the threshold for a historic heritage area in the AUP.
21. At a regional scale, the current SCA Residential contains 21,120 properties. Of these, 14,896 properties are within an area of high quality. This means that 71% of properties within the current SCA Residential overlay would remain within the SCA Residential overlay. In land area, the area recommended to be retained is 62% of the current area that has the SCA Residential overlay in the AUP. A preliminary analysis of alternative scenarios for SCA Residential is included as Attachment C.
22. As an overall proportion of residential zoned land this is approximately 3%. At a regional level therefore, retaining the height and density restrictions that currently apply in these areas would have very little impact on Auckland’s capacity for housing. However, within the Auckland isthmus this is clearly higher, and as explained at the recent workshop with the committee, within the walkable catchments of the city centre, Mount Eden and Kingsland train stations, the proportion is higher yet again (32%, 20% and 46% respectively of all residential or mixed use zoned land). Unfortunately, there has been insufficient time since the completion of the survey work to explore the more localised capacity issues with the committee.
23. It is therefore recommended that, as a preliminary response, feedback is sought on an approach that simply reflects the results of the assessment, and only includes areas of SCA Residential that meet the 75% high quality threshold. Feedback received will assist the committee in further exploring SCA Residential as a qualifying matter.

### **Special Character Areas - Business**

24. Of the 18 SCA Business areas, 16 are of high quality. Of these 16 high quality areas, 13 are recommended to be subject to a reduction in their extent. These are Devonport, Eden Valley, Grey Lynn, Kingsland, Lower Hinemoa Street, Mount Eden Village, Newmarket, Parnell, Ponsonby Road, Onehunga, Ōtāhuhu, West Lynn and Upper Symonds Street. The maps of reduced extents are contained in Attachment D. The three high quality areas with no change recommended to their extent are Balmoral Shopping Centre, Helensville and Sandringham.
25. Two SCA Business areas are not high quality, being Howick and Ellerslie. Ellerslie is recommended to be deleted from SCA Business overlay. The Howick SCA Business overlay has been the subject of extensive community input (including during and after the Auckland Unitary Plan hearings), has specific urban design provisions that differ from the other SCA Business areas, and was the subject of a recent council plan change to introduce a character statement to the AUP. It is therefore recommended that the council’s preliminary

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<sup>1</sup> A preliminary analysis of the implications of adopting other thresholds for SCA Residential is included as Attachment C.

response retains the Howick SCA Business overlay and that this matter is investigated further.

26. At a regional view, the current SCA Business contains 1682 properties. Of these, 1128 properties are within an area of high quality. This means that 67% of properties within the current SCA Business areas are recommended to be retained as high quality.
27. Seven potential historic heritage places have been identified in the SCA Business assessments. These are in areas that are not of high quality or where the current extent of SCA Business is proposed to be reduced. These sites are currently being evaluated to confirm if they meet the threshold for a historic heritage place in the AUP.

### **Precincts in the Auckland Unitary Plan**

28. There are 190 precincts in the AUP. Precincts enable local differences to be recognised by providing detailed place-based provisions that can vary the use and built form outcomes sought by the underlying zone or Auckland-wide provisions. Precincts can be more restrictive or more enabling than the zone (or zones) to which they apply. Many of the precincts in the AUP have been the subject of extensive community involvement over many years, plan changes to the AUP or the legacy district plans and in a number of cases, Environment Court decisions.
29. Council staff have begun to analyse all precincts that are located in the urban environment. There are 161 of these precincts. The analysis seeks to identify whether or not they are affected by the NPS-UD and specifically whether they have provisions that protect government or council identified qualifying matters. This work is progressing in line with the committee's resolutions regarding qualifying matters. What this means is that where a precinct has applicable qualifying matter(s) that act to reduce height and/or density, or affect the MDRS, it will be retained or amended to retain the precinct values. Where a precinct manages height and/or density, but does not contain applicable qualifying matter(s), it will be removed, in whole or in part.
30. This is a substantial body of work, and will not be available in time to be included in the council's preliminary response for feedback. This will be noted in the GIS viewer with the precincts tagged as "area under investigation". Supporting information will explain why these areas are shown this way at this point in the process.

### **Auckland Light Rail**

31. Central government has confirmed its commitment to light rail from the city centre to Māngere/Auckland Airport. However, the specific light rail route (and stops on the route) are still being investigated by the Auckland Light Rail project team within a defined study corridor (see Attachment E). The route and stops will not be confirmed until after 20 August 2022.
32. The different timeframes for the IPI and decisions on light rail present a number of risks for the council and central government that are being worked through with senior council staff and central government officials for a political decision. These risks arise from the fact that it is inevitable that the changes proposed within part of the light rail study corridor as part of the IPI, will need to be completely revisited in 2023 and 2024 when the route and stops are confirmed. This would result in residents, business owners and others having to commit time, effort and resources to two very different plan change processes for the same area within a very short (and potentially overlapping) period of time.
33. At this stage, the council does not have the option of excluding land within the light rail study corridor from the IPI in August 2022. As such, the preliminary response in Attachment A includes proposed changes within the light rail study corridor. However, given the significant issues this raises and the ongoing discussions between senior council staff and central government officials, it is recommended that the committee agree to amendments to the council's preliminary response in Attachment A that would show land within the light rail study corridor with its current zoning and highlight the area as "under investigation".

### **Topics where analysis is not yet complete**

34. Staff are still analysing how some qualifying matters will be applied. This includes work required to give effect to the New Zealand Coastal Policy Statement and matters associated with the transport network, storm water, water supply and waste water infrastructure. This is another substantial body of work, and will not be available in time to be included in the council's preliminary response for feedback. These matters will, however, be discussed in information sheets, and workshopped with the committee as soon as practicable.

## **Tauākī whakaaweawe āhuarangi**

### **Climate impact statement**

35. Objective 8 and policy 1 of the NPS-UD set out a policy framework that signals the need for decisions under the RMA to reduce emissions and improve climate resilience.
36. This framework is in line with the 'built environment' priority of Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan, which has a goal of achieving "A low carbon, resilient built environment that promotes healthy, low impact lifestyles". The plan recognises that:
- "To move to a low carbon and resilient region, climate change and hazard risks need to be integral to the planning system that shapes Auckland. Integrating land-use and transport planning is vital to reduce the need for private vehicle travel and to ensure housing and employment growth areas are connected to efficient, low carbon transport systems."*
37. Applying the NPS-UD will enable additional residential intensification to occur in areas where jobs, services and amenities can be easily accessed by active modes and public transport. This will contribute to reducing greenhouse gas emissions and the more efficient use of land will reduce growth pressures in areas more susceptible to the effects of climate change. In some places, applying the MDRS required under the Amendment Act will also achieve this outcome. However, a key aspect of the council's submission on the Amendment Act was that enabling three-storey medium density housing across Auckland's urban environment, is likely to result in a greater number of people living in areas where it is extremely difficult to provide a high level of public transport service.
38. A more detailed analysis of climate impacts will be possible once the mapping work required to implement the NPS-UD and the Amendment Act is more advanced. As well as responding to the intensification requirements of the NPS-UD and Amendment Act, this mapping work applies qualifying matters such as avoiding natural hazards associated with climate change (e.g. coastal inundation and erosion associated with sea level rise).

## **Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera**

### **Council group impacts and views**

39. All relevant council departments and Council Controlled Organisations have been involved in preparing for the forthcoming engagement on the council's preliminary response to the NPS-UD and the Amendment Act. They will have an ongoing role during the feedback period through to and beyond 20 August 2022. Feedback received on the council's preliminary response will be reviewed by the relevant departments and CCOs to assist the council in finalising the IPI for public notification.

## **Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe**

### **Local impacts and local board views**

40. Local boards were briefed in October and November 2021 on the implications of the NPS-UD and local board chairs were invited to the series of Planning Committee workshops run in 2021 on the NPS-UD. Local boards also received a detailed briefing on the council's preliminary response in March 2022. Local boards will have the opportunity to provide formal feedback on



the draft IPI in mid-2022, prior to the committee receiving the proposed IPI in August 2022 for a decision to notify.

## Tauākī whakaaweawe Māori Māori impact statement

41. Auckland Council has obligations under Te Tiriti o Waitangi and its Significance and Engagement Policy to take special consideration when engaging with Māori and to enable Māori participation in council decision-making to promote Māori well-being
42. The NPS-UD provides for the interests of Māori through intensification to increase housing supply, alongside its identification of qualifying matters. The widespread intensification sought by the NPS-UD has the potential to affect Māori both negatively and positively. This includes with respect to culturally significant sites and landscapes, Treaty Settlement redress land, the urban form as it reflects mātauranga Māori and accessibility, and Māori facilities where customs and traditions are observed (such as marae).
43. The relevant qualifying matters set out in the NPS-UD and Amendment Act include matters of national importance that decision-makers are required to recognise and provide for under section 6 of the RMA 1991, and matters necessary to implement, or to ensure consistency with, iwi participation legislation.
44. Policy 9 of the NPS-UD sets out requirements for local authorities as follows:
 

*“Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:*

  - a) *involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Māori; and*
  - b) *when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and*
  - c) *provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and*
  - d) *operate in a way that is consistent with iwi participation legislation.”*
45. Policy 9 directs the council to involve iwi and hapū in the NPS-UD, during the preparation of planning documents, and to take into account the values and aspirations of hapū and iwi for urban development in the region. In the context of the NPS-UD, the council must involve mana whenua and mataawaka within the region.

## Engagement

46. All mana whenua entities recognised by the council receive ongoing invitations to engage and provide feedback on the NPS-UD programme. All representatives (including those electing not to participate in collective meetings or workshops) receive information, updates and hui notes. The council planning team encourage and ask iwi representatives to share key programme information with appropriate advisors, specialists and staff within their tribal organisations.
47. Since October 2021, council staff have been engaging with mandated mana whenua representatives at both Governance and Kaitiaki levels on the NPS-UD and its wider implications across the region. This has been through collective and individual hui. Collective hui have been held on average every 4 to 6 weeks (excluding the Christmas period).
48. As the implications of the NPS-UD have become more apparent, particularly through the Amendment Act in December 2021, potentially affected mataawaka facilities and location specific mataawaka groups have been identified. This identification has been done in consultation with the council’s Ngā Mātārae department and the Plans and Places Māori

Heritage Team. Targeted engagement with these groups commenced in March 2022 and will continue through to April 2022.

49. Council staff also presented to the Tāmaki Makaurau Mana Whenua Forum in October 2021 and March 2022. The council has provided memorandum updates to Te Pou Toi, Toi Manawa and Te Pou Taiao in February 2022.
50. The engagement being undertaken is consistent with Clause 3(1)(d) of Schedule 1 of the RMA which is a requirement for standard plan change processes.

### Themes emerging

51. Individual and collective engagement has raised several key themes relating to such matters as the protection of scheduled and known cultural heritage and managing potential interface effects from new development with existing marae. This is supported by research undertaken by the council team in advance of these discussions with mana whenua. This has drawn on a wide range of council documents and publicly available information.
52. Common themes that have been identified include:
- a) Universal access provided in residential design for less able whanau members
  - b) Access to open space for health and wellbeing
  - c) Safe and connected whānau and communities
  - d) Avoiding development in areas poorly served by infrastructure
  - e) Access to affordable housing options
  - f) Maintaining access to customary activities e.g. waka launching, kaimoana gathering
  - g) Protection of Māori sites and places of cultural significance. Maintaining precincts that protect cultural values or are otherwise culturally sensitive (such as Ihumātao)
  - h) Avoiding negative effects of intensive residential development on established cultural activities/facilities (such as marae)
  - i) Provisions for Kohanga reo and Kura Kaupapa Māori in urban areas
  - j) Use of Māori design concepts in the development of commercial centres and in large residential developments
  - k) Use of mātauranga and tikanga Māori in the management of resources
  - l) The support of measures to maintain and improve water quality, ecological areas, volcanic viewshafts, and the coastline.
  - m) Avoid exacerbating natural hazard risks
  - n) Maintaining the cultural significance of the Waitakere Ranges Heritage Area
  - o) Concern that Future Urban Zone land will be prematurely rezoned.
53. The council's engagement team is actively working across the NPS-UD project to consider these matters and are reporting back to the mana whenua representatives on progress.

### Ngā ritenga ā-pūtea Financial implications

54. Work on the NPS-UD has been progressing within existing budgets. However, the recent passing of the Amendment Act has resulted in a significant increase in the scale and complexity of the project, without any changes to the NPS-UD implementation timeframes. This will require a greater than anticipated level of change to the AUP and therefore a higher level of public participation and potential feedback and submissions.
55. The financial impact of these changes will affect the current 2021-2022 and the 2022-2023 financial year, and potentially the following year. While it is expected that additional costs in the current financial year can be met through a re-prioritisation of work programmes within the

Chief Planning Office, further costs (primarily relating to operation of an independent hearings panel and engagement of specialists) may require re-prioritisation of other work programmes from across the organisation. Planning for the 2022-2023 financial year is currently underway, however any impacts will be of a scale that will not affect the council's overall financial position.

## Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

56. Central government has set a deadline of 20 August 2022 for the council to publicly notify the IPI. Given the scale and complexity of work required to meet this deadline, there is a risk that the quality of engagement on the council's preliminary response will not meet the expectation of Aucklanders and key stakeholders, and that the council may not receive quality feedback from a wide range of interests. There is also a risk that Aucklanders and key stakeholders are unclear about the mandatory requirements of the NPS-UD and the Amendment Act, and where the council has some discretion.
57. These risks will be mitigated by strong, clear communications in the lead-up to mid-April and during the engagement period. In terms of Aucklanders who are harder to reach, the council's engagement team is about to make contact with a number of groups who represent Aucklanders who are historically less likely to engage, to raise their awareness of the NPS-UD and Amendment Act and the opportunity to provide feedback from mid-April to early May 2022. Other engagement techniques are also to be explored with a view to obtaining high quality feedback from as wide a range of interests as possible within the tight time constraints.

## Ngā koringa ā-muri Next steps

58. Should the committee endorse the preliminary response that implements the NPS-UD and the Amendment Act, staff will progress to engage with Aucklanders from mid-April to early May 2022. Feedback received during this period will be analysed and presented to the committee, mana whenua and local boards to inform the completion of the IPI that must be publicly notified by 20 August 2022. Public notification is the beginning of formal submissions and hearings of those submissions.

## Ngā tāpirihanga Attachments

| No. | Title   | Page |
|-----|---|------|
| A   | Auckland Council preliminary response to the National Policy Statement on Urban Development and Amendment Act |      |
| B   | Auckland Settlements With Usually Resident Populations Of Less Than 5000, 2018 Census                         |      |
| C   | Other Special Character Scenarios   |      |
| D   | Special Character Areas Business  |      |
| E   | Light Rail Corridor   |      |

## Ngā kaihaina Signatories

|             |   |
|-------------|---|
| Authors     | Eryn Shields - Team Leader Regional, North West and Islands<br>John Duguid - General Manager - Plans and Places |
| Authorisers | Megan Tyler - Chief of Strategy   |

