

# Proposed Plan Change 78 (PC78)

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to the Auckland Unitary Plan (Operative in  
part)

**SECTION 32 and s77K / s77Q alternative process for existing qualifying  
matters**

**EVALUATION REPORT for qualifying matter s77l(a) and (b) and qualifying  
matter s77O(a) and (b)**

- |   |
|---|
| <ul style="list-style-type: none"><li>(a) a matter of national importance that decision makers are required to recognise and provide for under section 6(a)</li><li>(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010</li></ul> |
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Outstanding Natural Character and High Natural Character

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## Executive Summary

This report analyses the implications of applying D11 - Outstanding Natural Character and High Natural Character overlay as a qualifying matter to the medium density residential standards (MDRS) of Schedule 3A of the Act and the implementation of policy 3 of the NPS-UD (updated May 2022).

Outstanding natural character and high natural character are matters of national importance in accordance with s6(a) of the Act

- a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*

Policy 16 of the New Zealand Coastal Policy Statement (NZCPS) specifically seeks the protection of the natural character of the coastal environment from inappropriate subdivision, use and development. D11 gives effect to both the Act and the NZCPS in providing for the protection of areas of high and outstanding natural character in the coastal environment. The natural character of wetlands, lakes and rivers and their margins are provided for in other chapters of the AUP.

There are 17 areas of high natural character in the Auckland urban area and no areas of outstanding natural character. Three of these are islands just off the shore. Buildings and structures including dwellings are deemed a Discretionary Activity within these areas.

The majority of these areas have an underlying zone of either Open Space – Conservation zone and/or Residential - Large Lot zone. The open space - conservation zone limits development to that which complements and protects the conservation values and natural qualities of the area. The Residential – Large Lot zone is not deemed a relevant residential zone and therefore is not subject to intensification in accordance with MDRS/ NPS-UD Policy 3 (updated May 2022).

There are also 66 properties zoned Residential – Single House zone (SH) and approximately three properties zoned Residential - Mixed Housing Suburban zone (MHS) encroaching into these areas of high natural character. The SH zone is the low-density zone of the AUP providing for single housing designed to complement the natural environment. The MHS zone caters to low to medium density residential development of two – three storeys.

The majority of these areas are also subject to other qualifying matters such as Significant Ecological Areas (SEA's), precincts and areas of historic heritage.

In accordance with the RMA and the NPS-UD Policy 3 (updated May 2022) the SH and MHS zones are rendered redundant within the Rural Urban Boundary (RUB) they are required to incorporate the medium density residential standards from Schedule 3A of the RMA. In response Council is recommending a new low density residential zone (H3A) to be used to support various qualifying matters around the region.

Given the current development limitations on these residential properties within the HNC areas Council recommends applying the H3A zone to all of them. To support this Council also recommends carrying over relevant supporting provisions from the Auckland wide chapters of E12 Land Disturbance – District; E15 Vegetation management and biodiversity and E38 Subdivision – Urban. No further amendments to the AUP are recommended to support this qualifying matter.

## Introduction

This report is prepared as part of the evaluation required by Section 32 and Sections 77I and 77Q of the Resource Management Act 1991 ('the Act') for proposed Plan Change 78 (**PC78**) to the Auckland Unitary Plan (Operative in Part) (**AUP**).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 77I / 77Q evaluations.

This report discusses the implications of applying D11 Outstanding Natural Character and High Natural Character overlay as a qualifying matter to the medium density residential standards (MDRS) of Schedule 3A of the RMA and the implementation of policy 3 of the NPS-UD (updated May 2022).

An existing qualifying matter is a qualifying matter referred to in section 77 I or 77O (a) to (i) that is operative in the relevant district plan when the IPI is notified.

- Sec 77I relates to relevant residential zones.
- Sec 77O relates to urban non-residential zones.

The Council may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate 1 or more of the qualifying matters listed in 77I or 77O.

### Integrated evaluation for existing qualifying matters

For the purposes of PC78, evaluation of D11 as an existing qualifying matter has been undertaken in an integrated way that combines sec 32 and 77K / 77Q requirements. The report follows the evaluation approach described in the table below.

Preparation of this report has involved the following:

- review of the AUP to identify all relevant provisions that apply to this qualifying matter
- assessment of the identified relevant provisions within the AUP relating to D11 against the MDRS in accordance with Schedule 3A of the RMA
- development of draft amendments to the operative district plan provisions of the AUP to implement this matter as a Qualifying Matter in accordance with s77I(a) and (b) and s77O(a) and (b)
- review of the AUP to identify all relevant provisions that require a consequential amendment to integrate the application of this qualifying matter
- review of the AUP Maps to assess the spatial application of this qualifying matter
- section 32 options analysis for this qualifying matter and related amendments.

The scale and significance of the issues is assessed to be medium.

This section 32/77K evaluation report will continue to be refined in response to any submissions (and technical evidence that supports those submissions) provided to the council, and in response to any other new information received.

**Table 1 Integrated approach**

Standard sec 32 steps	Plus sec 77K / 77Q steps for existing qualifying matter
<p>Issue</p> <p>Define the problem- provide overview/summary providing an analysis of the qualifying matter</p>	<p>Sec 77K or 77Q (1) (a)</p> <p>Describe the qualifying matter.</p> <p>Identify by location (for example, by mapping) where an existing qualifying matter applies</p>
<p>Identify and discuss objectives / outcomes</p>	<p>Sec 77K or 77Q(1) ( c )</p> <p>Identify relevant RPS objectives and policies. Describe why the Council considers that 1 or more existing qualifying matters apply to these areas and why the qualifying matter is necessary.</p>
<p>Identify and screen response options</p>	<p>Sec 77k or 77Q (1) (b)</p> <p>Consider a range of alternative density standards for those areas having considered the particular MDRS standards and/or Policy 3 intensification requirements</p>
<p>Collect information on the selected option(s)</p>	<p>Sec 77K or Q (1) (d)</p> <p>Describe in general terms for a typical site the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 having regard to the modified zone, with regard to the identified density options</p>
<p>Evaluate option(s) - environmental, social, economic, cultural benefits and costs</p>	<p>Sec 77K or Q (1) (b)</p> <p>Provide a general assessment of the benefits and costs of the options in the light of the new objectives introduced by the NPS-UD and MDRS relating to well-functioning urban environments</p>
<p>Overall judgement as to the better option (taking into account risks of acting or not acting)</p>	<p>Conclusion as to the implications of the qualifying matter for development capacity to be enabled by NPS-UD/MDRS in the areas where the qualifying matter applies</p>

## Issues

The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of these

from inappropriate subdivision, use, and development is considered a matter of national importance in accordance with Section 6(a) of the Resource Management Act 1991 (RMA). In giving effect to this D11 Outstanding Natural Character and High Natural Character overlay only applies to the coastal areas of the Auckland region. The natural character of wetlands, lakes and rivers and their margins are considered through other chapters of the AUP.

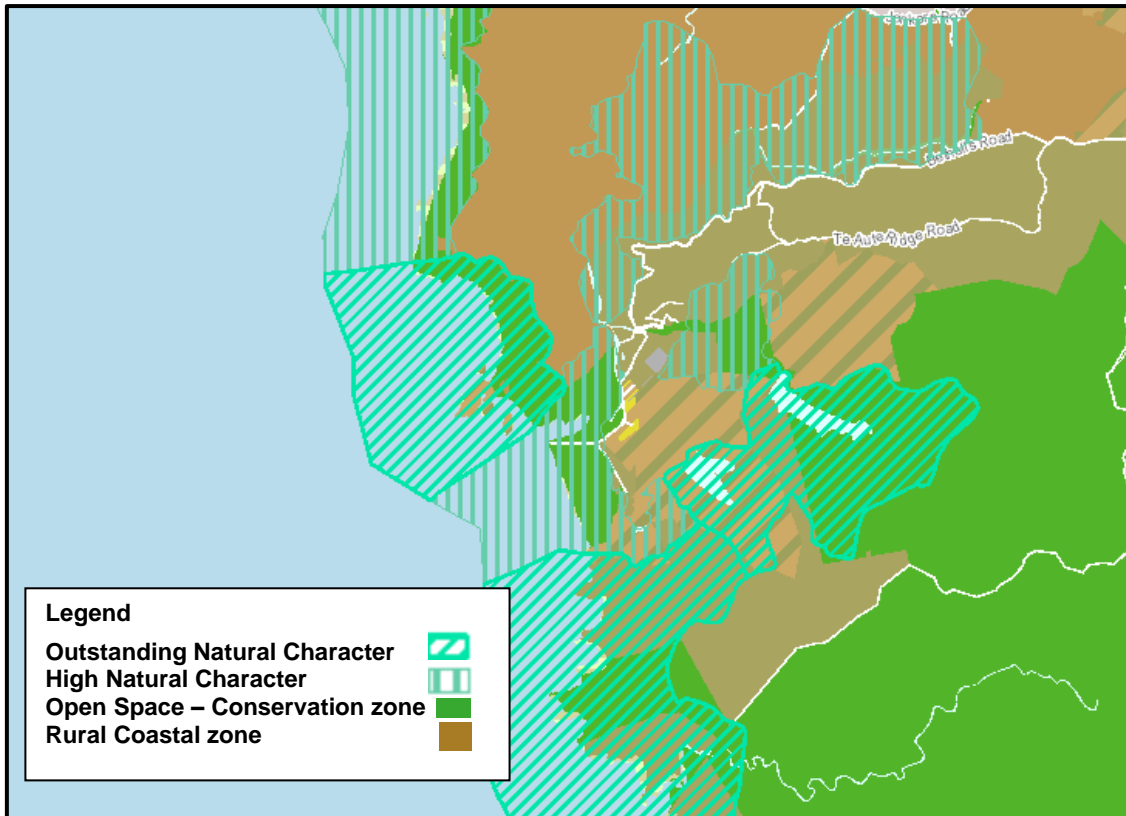
Policy 13 of the New Zealand Coastal Policy Statement (NZPCS) specifically seeks the preservation of the natural character values of the coastal environment and their protection from inappropriate subdivision, use and development by requiring:

- the avoidance of adverse effects in areas of the coastal environment with outstanding natural character; and
- the avoidance of such effects – or their remediation or mitigation – in all other areas of the coastal environment

Policy 14 of the NZCPS promotes the restoration or rehabilitation of the natural character of the coastal area through the provision of objectives and policies and (where practicable) through imposing conditions against resource consents for subdivision, use and development in these areas.

RPS Chapter B8 - Toitū te taiwhenua - Coastal environment – 8.2 gives effect to s6 of the RMA and to Policy 13 of the NZCPS in recognising the natural character of the coastal environment as a matter of regional significance to be preserved and protected from inappropriate subdivision, use and development and restored or rehabilitated in areas of degradation. Natural character is predominantly evaluated as outstanding or high, although the characteristics and qualities that contribute to the natural character of the coastal environment area are also recognised for protection and preservation against inappropriate subdivision, use and development (Objective B8.2.1(2)).

D11 Outstanding Natural Character and High Natural Character Overlay gives effect to Policy 13 of the NZCPS and to the objectives and policies of B8.2. This overlay is the primary method for the protection of areas of outstanding and high natural character and ensuring their visibility in the region as a layer in GEOMAPS. This is shown in **Figure 1** below.



**Figure 1 – Spatial display of D11 – Outstanding Natural Character and High Natural Character overlay.**

The overlay is supported by Schedule 8 of the AUP - Outstanding Natural Character and High Natural Character Overlay Schedule which contains all areas recognised as either outstanding natural character or high natural character throughout the Auckland region. The character of each area is ranked against a set of factors identified in Policy B8.2.2(1).

There are currently 17 areas high natural character (HNC) within the RUB and no areas of outstanding natural character (ONC). These areas of HNC are listed in **Table 1** below which provides a brief description and their ranking against their biophysical characteristics and perceptual values as recorded in Schedule 8. It also lists the underlying zones with the predominant zones noted in bold. In all cases the HNC also includes a significant area below Mean High Water Springs (MHWS).

**Table 1 Areas of High Natural Character in urban Auckland**

Scheduled Item	Zone	Description	Rank for bio-physical charac	Rank for perceptual values
42 – Big Muddy Creek – Laingholm	Open Space - Conservation/ <b>Large Lot/</b> Coastal Transition	Comprising prominent headlands, ridges, spurs, escarpments, and intertidal flats. Extensively vegetated with mature and semi mature native forest. Presence of dense residential development on northern and western flanks disrupts cohesion and intactness of coastal environment as a whole. Coastal environment enjoys ephemeral qualities of Manukau Harbour.	Moderate	Mod/High

58 – Mahurangi River, southern escarpment, Warkworth	<b>Open Space – Conservation/ Future Urban</b>	Comprising the southern escarpment that flanks the northern banks of the Mahurangi River to the north-west of Duck Creek Road, this area is unmodified by development and remains extensively vegetated in mature native forest. Although the river's southern banks are extensively modified in places, particularly at the historic cement works, the integrity of the landforms and land cover to the north and the tidal influence of the Hauraki Gulf imbue this area with a high natural character.	Mod/High	Mod/High
87 Coal Mine Bay, Whangaparaoa	Open Space – Conservation / <b>Large Lot/ Coastal Transition</b>	A sequence of rocky shoals, coastal scarps, headlands, sheltered gullies, sandy beaches, remnant and regenerating coastal forest. With very little development within the coastal environment. With extensive landforms traversing the intertidal zone, this section of the coast enjoys a dynamic interaction with the ebb and flow of Whangaparaoa Bay.	Mod/High	Mod/High
89 – Matakaitia Bay, Whangaparaoa	<b>Open Space – Conservation/ Large Lot/ Coastal Transition</b>	Dramatically uplifted headland, coastal cliffs, rocky shoals and remnant coastal vegetation that protrudes out between Matakaitia Bay and the reclaimed breakwaters of Gulf Harbour Marina at Hobbs Bay and Kotanui Island (Frenchmans Cap). The formative processes of erosion are clearly expressed by the interplay of the exposed coastal cliffs, the headland and the tenuous thread of rocky formations.	Mod/High	Mod/High
90 – Wade Heads, Whangaparaoa	<b>Open Space – Conservation / Large Lot/ Coastal Transition</b>	A prominent headland, at the entrance to the Weiti River. The headland is extensively vegetated in remnant coastal forest but its margins, and coastal edge to the north, have been modified by residential development and the reclamation associated with the Weiti Boating Club. However, the headlands prominence and the counterpoint it provides to the depositional landforms on the other side of the river, heighten both the legibility of the coastal landforms that flank the rivers northern banks and the coastal processes associated with the convergence of the Weiti River, Okura River and the Hauraki Gulf.	Mod/High	Moderate
91 – Weiti River, Whangaparaoa	Open Space – Conservation/ <b>Large Lot/ Coastal Transition</b>	A prominent escarpment that flanks the northern banks of the Weiti River, opposite the coastal settlement of Stillwater. The escarpment is predominantly vegetated in remnant and regenerating coastal forest. Although its margins are partly flanked by pine and eucalypt, and wilding pine and macrocarpa are apparent opposite the Stillwater boat ramp, the vegetation remains relatively comprehensive and endemic in character. Moreover, the mature vegetation and topography screens the majority of development,	Moderate	Mod/High



		partly revealing two dwellings beyond the swath of vegetation. The escarpments intertidal margins and a small intertidal island of mangrove clearly express the tidal fluctuations of the river.		
92 - Chenery Road, Whangapaoraoa	Open Space - Conservation/ <b>Large Lot/</b> Coastal Transition	A prominent escarpment that flanks the northern banks of the Weiti River. The escarpment is predominantly vegetated in mature coastal forest but its margins have been modified by residential development and coastal reclamation associated with industrial development to the south-east. However, the interplay of the headland, Weiti River and the large intertidal flats and mangrove colonies to the south, heighten both the legibility of the coastal landforms that flank the river and the intertidal processes associated with the Weiti River	Mod/High	Moderate
95 - Long Bay	<b>Open Space – Conservation</b> /Open Space – Informal Recreation/ Single House/ Large Lot/ Coastal Transition	A sequence of rocky shoals, coastal scarps, headlands, sedimentary cliffs, gullies, sandy beaches and pockets of remnant and regenerating coastal forest backed by pastoral farmlands. With very little development within the coastal environment, the open areas of pasture become subservient to the interplay of coastal vegetation, exposed scarps and cliffs, sandy beaches, rocky shelves and the open waters of the Hauraki Gulf. With these landforms traversing the intertidal zone, this section of the coast enjoys a dynamic interaction with the ebb and flow of Hauraki Gulf.	Moderate	Mod/High
96 – The Tor, Torbay	<b>Open Space – Conservation</b>	This is an island located off the shore at Torbay. It is unmodified but its proximity to the suburban coastline is significant in terms of effects on perceived naturalness and wildness.	Mod/High	Moderate
99 – Kauri Point, Birkenhead	Light Industrial Zone/ <b>Open Space – Conservation/</b> Single House/ Coastal Transition	Described as a combination of a comprehensively vegetated coastal escarpment, gully and sheltered bay which flanks the northern banks of the Waitemata Harbour. The area is a <i>'harmonious expression of coastal erosion and deposition and the interplay and composition of the bay emphasise the landforms interaction with, and openness to, the Waitemata Harbour.'</i>	Mod/high	Mod/High
100 – Fitzpatrick Bay, Birkenhead	<b>Open Space – Conservation</b> / Single House/ Coastal Transition/ Mixed Housing Suburban	A comprehensively vegetated coastal escarpment that flanks the northern banks of the Waitemata Harbour and an unnamed tributary. The escarpment is extensively vegetated in mature native forest with a few mature wilding pines scattered along the waters edge. The amalgam of the escarpment and the intertidal margins of the unnamed tributary express the coastal erosion and deposition of the hinterland and these landforms engagement with the Waitemata Harbour.	Mod/High	Mod/High

101 – Oruamo Creek, Upper Harbour	Open Space – Conservation/ <b>Large Lot</b> / Coastal Transition	A combination of a comprehensively vegetated coastal escarpment and tidal bay that flank the northern banks of Oruamo Creek. High voltage power lines and several pylons traverse eastern margins of escarpment but their 'skeletal' nature means they are not prominent and do not disturb legibility of escarpment as a whole nor the expressiveness of its interplay with the tidal margins of Oruamo Creek. Development is limited not affecting the integrity of landforms.	Mod/High	Mod/High
139 – Pollen Island	<b>Open Space – Conservation</b> / Coastal Transition	An assemblage of shell banks, sand spits and intertidal mudflats that flank the mouth of the Whau River as it enters the Waitemata Harbour. Predominantly vegetated in mangrove and regenerating natives, Pollen Island is overlooked by the sweeping concrete infrastructure of state highway 16. Despite the modified nature of its margins, the underlying landforms remain unmodified and highly expressive as they jut out into the river channel. This sequence of depositional landforms and their interplay with the tidal ebb and flows, clearly express the turbulent merging of Whau River and Waitemata Harbour.	high	Mod/high
140 – Watchmen Island – off Herne Bay	<b>Open Space – Conservation</b>	A small conspicuous island landform which sits to the west of the Auckland Harbour Bridge. Eroding sedimentary bluffs topped with a few wind sweep pohutukawa are the characteristic elements of this unmodified and highly expressive island landform.	Mod/High	Moderate
141 – South Titirangi, Titirangi	Open Space - Conservation/ Large Lot/ Coastal Transition/ <b>Special Purpose - School</b>	Extensively vegetated escarpments and intertidal flats that flank the headwaters of Little Muddy Creek and Waiohua Creek. The escarpments are extensively vegetated in mature and semi-mature native forest and remains largely unmodified by the limited pockets of residential development that are nestled into the vegetation. That said, the presence of development is heightened by the denser residential developments that flank this coastal environments eastern, western and southern margins. Whilst these land uses do not detrimentally affect the perceived level of modification associated with the escarpments themselves, it does disrupt the cohesion and intactness of the coastal environment as a whole.	Mod/High	Mod/High
142 – Tahuna Torea, Tamaki River	<b>Open Space – Conservation</b> / Coastal Transition/ Open Space – Informal Recreation/ Mixed Housing Suburban	An assemblage of coastal escarpments, sandspit landforms, intertidal wetlands and mudflats that form the mouth of the Tamaki River where it enters the Haruaki Gulf. Although vegetated in regenerating natives, the mouth of the Tamaki River is overlooked by the residential neighbourhoods of Glen Innes. Despite the modified nature of	High	Mod/High

		the wider coastal environment, the underlying landforms remain unmodified and highly expressive as they jut out into the river channel. This sequence of depositional landforms and their interplay with the tidal ebb and flows, clearly express the turbulent merging of Tamaki River and Hauraki Gulf.		
201 - Lowtherhurst Reserve Kauri Stand - Massey, Upper Waitemata Harbour	<b>Open Space Conservation/</b> Mixed Housing Suburban/ Single House/ Coastal Transition	Lowtherhurst Reserve covers an area of massed pohutukawa-puririkanuka-kowhai forest that trends into mature kauri with kanuka, Towai, tawa and kowhai near the head of Henderson Creek. Although wattle and other exotic / weed species are also found within recreational areas of the reserve, its native canopy stretches along the escarpment down the northern side of Henderson Creek and is the primary feature in views across the waterway – from the Taipari Strand and adjoining residential areas. Similar to other south-facing escarpments along the Lucas Creek, above the Paremoremo Stream, and at Kauri Point, its native bush and elevated coastal escarpment provides a physically contiguous backdrop to a body of water that is flanked by reserves and parkland on both sides. Housing also encroaches into the reserve’s margins, but it is still dominated, both physically and visually, by a combination of natural landforms, native coastal forest and estuarine margins – with mud flats and mangroves lining part of the bush area.	Mod/High	Moderate

In the table it is noted that the HNC areas have either a high or moderate to high ranking for biophysical characteristics (referring to the geomorphological features, vegetation type, cover and patterns, ecological values and water bodies) and for perceptual values (such as experiential attributes). In recognising this the overlay seeks to limit development in these areas – dwellings require a Discretionary Activity resource consent.

All zones in the AUP contain specific waterbody yard setbacks. Of relevance is the Coastal Protection Yard of 25m unless otherwise specified in Appendix 6<sup>1</sup> Coastal Protection Yard. This is measured from MHWS. This yard provides a level of support to the HNCs in limiting development in this area. Furthermore, all zones contain a maximum impervious surface control to manage the amount of stormwater runoff generated by a development and to ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.

The predominant underlying zones of these areas of HNC are Open Space – Conservation zone, Residential - Large Lot zone and Coastal Transition zone. The Coastal Transition zone applies to land above mean high water springs that was typically un-zoned in previous district plans. As the mapping of boundaries defined by MHWS is refined over time, this zone is expected to be no longer necessary.

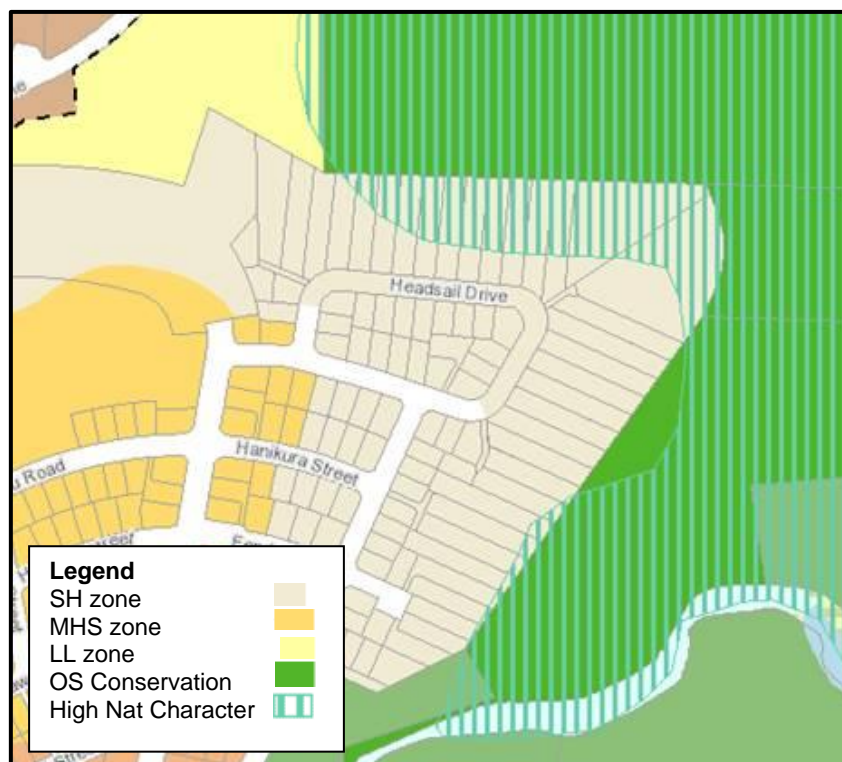
As indicated by its name the Residential – Large Lot zone provides for larger than standard site sizes and development is managed to either reflect the landscape qualities of an area or

<sup>1</sup> Auckland Unitary Plan (Operative in Part) – Appendix 6 Coastal Protection Yard

to address an area’s physical limitations to more intensive development such as topography, ground conditions, instability or natural hazards where more intensive development may cause or exacerbate adverse effects on the environment. Development is limited to one dwelling per site. It is significant to note that this zone is not subject to intensification by the MDRS/NPS-UD (unless it is within a walkable catchment area) as it is not considered to be a relevant residential zone in accordance with Schedule 3A of the RMA. While it is not a mechanism of the qualifying matter the zone affords a level of buffer from more intensive development in the area of the HNC.

In accordance with Subpart 3.32(1)(d) of the NPS-UD Open Space zones of the AUP are also deemed to be a qualifying matter and are being assessed separately. The Open Space – Conservation zone applies to open spaces with natural, ecological, landscape, and cultural and historic heritage values. Recreation and development is limited in scale and intensity to protect the values of the zone. Again, while the zone is not a mechanism of HNC it provides a buffer from intensive development occurring at the site of the HNC. It is significant to note however that existing and additional open spaces are required to achieve a well – functioning urban environment.

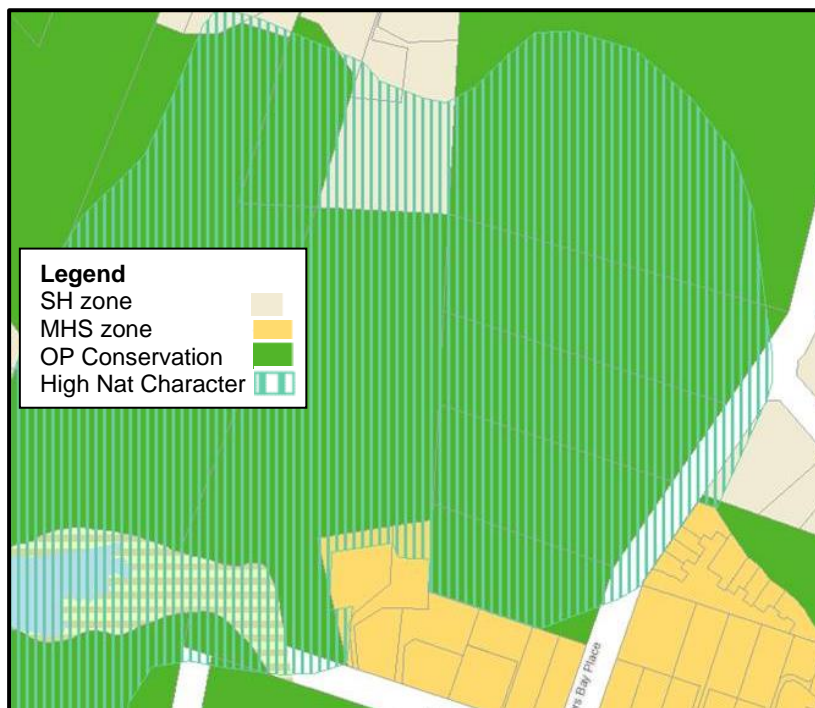
Of concern to the urban HNC’s is the inclusion of other residential zones within their areas and abutting their edges. These currently present as Residential – Single House (SH) (66 properties within) Residential - Mixed Housing Suburban (MHS) (three properties within) and Mixed Housing Urban (MHU) ranging from low density to more intense respectively. These are deemed to be the relevant residential zones of the AUP which are required to incorporate the medium density residential standards (MDRS) from Schedule 3A of the Resource Management Act 1991. Long Bay and Kauri Point HNCs have the most SH zoned properties within their area (20 and 17 respectively) and Fitzpatrick Reserve HNC includes the most MHS (3 properties) – refer **Figures 2, 3 and 4** below respectively.



**Figure 2 – Long Bay HNC over Residential Single House zoned properties**



**Figure 3 – Kauri Point HNC over Residential Single House zoned properties**



**Figure 4: Fitzpatrick Reserve HNC over Mixed Housing Suburban zoned properties**

As a result of including MDRS into these zones their specific densities have been eroded. Development of three dwellings of 11m in height are permitted in all instances. Subsequently Council have removed the SH and MHS zones from the urban area (they will still operate in the rural settlements and coastal settlements in the region) and instead have developed an additional medium density zone to be applied to all residential properties outside the walkable catchments (there are no areas of walkable catchments affecting the urban HNCs) and excluding the Large Lot zone as explained earlier. This new zone does not include the coastal protection yard setback or the maximum impervious surface control discussed above.

The current low-density zone of SH additionally (to Large Lot and Open Space zones) provides a level of support to the HNCs through also limiting the potential development capacity of the underlying properties and therefore reducing the risk of pressure on the provisions of the overlay. The application of the new medium density zone (MHU+) on properties both within and adjoining the HNC could result in incremental degradation of the values of the HNC through permitted activities resulting in physical domination by buildings and through incremental clearing of vegetation. In response to this tension Council is also developing a new low density residential zone – H3A – Residential – Low Density Residential zone. This zone is intended to be applied to encroaching residential properties where a qualifying matter seeks to constrain density or height in order to support the purpose of the qualifying matter.

Kauri Point HNC area also includes an area of Business - Light Industrial zone. This provides for a Coastal Protection yard setback of 25m which is surpassed by the 30m Coastal Protection Yard required in Appendix 6 of the AUP. As a condition of I505 Chelsea Precinct the Light Industrial Zone will no longer be live in the precinct once the sugar refinery activities cease operation. The Light Industrial zone is included in the qualifying matter of 'business land suitable for low density use' and is assessed separately.

Policy 4 of NPS-UD requires Council to apply qualifying matters to modify the level of intensification enabled by Policy 3(c). D11 provides for dwellings as a Discretionary Activity in areas of HNC. Rules relating to land disturbance for development in HNCs are contained in Chapter E12 – Land Disturbance – District which requires any land disturbance of more than 50m<sup>2</sup> and 250m<sup>3</sup> be subject to a Restricted Discretionary Activity resource consent. Rules pertaining to vegetation removal are contained in Chapter E15 – Vegetation management and biodiversity. This states that any vegetation removal or alteration greater than 50m<sup>2</sup> of any contiguous indigenous vegetation is subject to a RD and DA subject to compliance with the relevant standards. These particular rules are of relevance to the intactness and integrity of the overlay.

With the exception of Watchman Island, all areas of HNC within the urban area are accompanied by other qualifying matters such as Significant Ecological Areas both terrestrial and marine, and precincts that specifically relate to the natural landscape values of the area. This is detailed in **Table 2** over page. In these situations the qualifying matters are mutually supportive seeking similar environmental outcomes. **Figure 5** below illustrates the combination of the HNC and both terrestrial (land) and marine based SEAs in an area along the coast of Hellyers Creek, Greenhithe.

Given the limited development potential currently afforded by the of overlay and the effect of various other qualifying matters over the few residential properties within the overlay areas, Council recommends the application of H3A for all of these properties regardless of their current zone.

In accordance with Schedule 3A of the RMA H3A is deemed a 'relevant residential' zone for Auckland and therefore is also subject to the MDRS. However, these standards are included along with the other low-density standards which serve the needs of the qualifying matter by constraining intensification. Subsequently, specific standards of H3A that would support the areas of HNC are listed below:

- Minimum site size if 600m<sup>2</sup> and subdivision is subject to a Restricted Discretionary Activity resource consent requiring thorough consideration of the high natural character of the area
- A dwelling is subject to a Discretionary Activity resource consent – this reflects the particular amenity values of the area

- Max height of 8m (+1m for 50percent of roof) to reduce the visual impact of structures/ buildings on the intactness of the high natural character area
- Height in relation to boundary control for side and rear boundaries of 2.5m height and a 45degree angle measured at the boundary – also to reduce the visual impact of structures/buildings on the intactness of the high natural character area
- A front yard setback of 3m to support the established neighbourhood character by providing good quality on-site amenity
- A riparian yard of 10m to ensure the protection of the vegetation alongside these permanent and intermittent streams – acknowledging the holistic approach to vegetation management for these areas
- A coastal protection yard of 10m to
- Building coverage of 35percent –enhancing the amenity of the area and reducing the visual impact and physical bulk of the buildings/ structure on the high natural character area
- Landscaped area of 40percent to maintain the amenity of the areas

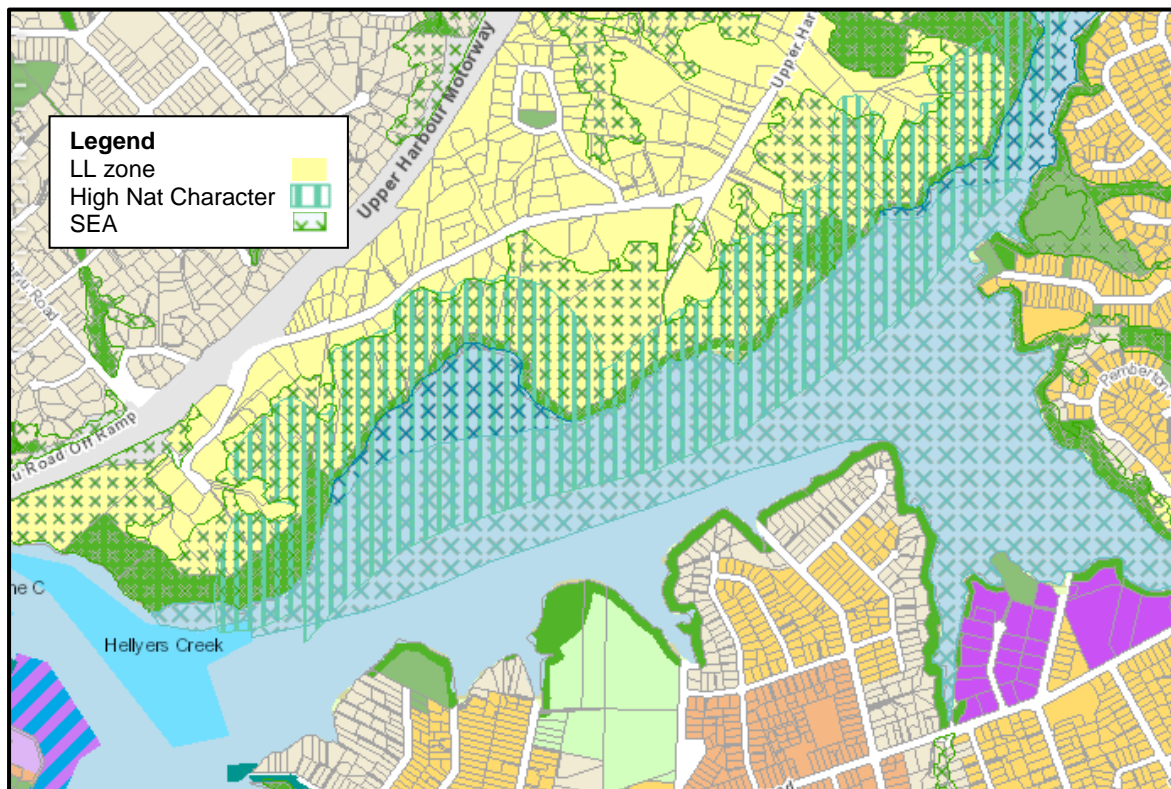


Figure 5 – Overlapping qualifying matters of ONC with SEA in Hellyers Creek, Upper Harbour

Table 2 – Other Qualifying Matters applying to HNC areas

HNC	Other QM	Purpose of other QM
42 – Big Muddy Creek – Laingholm	<ul style="list-style-type: none"> <li>• SEA_T_5539</li> <li>• Ridgeline Protection overlay</li> <li>• Waitakere Ranges Heritage overlay</li> </ul>	<ul style="list-style-type: none"> <li>• SEA - Representativeness/ Threat status and rarity/ Diversity/ migration pathway/ uniqueness, distinctiveness</li> <li>• and ridgeline</li> <li>• Respects the Waitakere Ranges Heritage Area Act 2008 – regional park</li> </ul>

58 – Mahurangi River, southern escarpment, Warkworth	<ul style="list-style-type: none"> <li>• SEA_M1_76c</li> <li>• SEA_M2_76a</li> <li>• SEA_T_6684</li> <li>• Historic heritage item 576</li> </ul>	<ul style="list-style-type: none"> <li>• SEA – Terrestrial - Representativeness/ Threat status and rarity/ Diversity/ migration pathway/ uniqueness, distinctiveness</li> <li>• SEA – Marine – mangroves</li> <li>• SEA – Marine – ria/ drowned coastline</li> <li>• Wilsons Cement Works R09_703</li> </ul>
87 Coal Mine Bay, Whangaparaoa	<ul style="list-style-type: none"> <li>• SEA_T_6997</li> <li>• I535 Rodney Landscape Precinct – Sub B and F</li> <li>• Historic heritage item 402</li> </ul>	<ul style="list-style-type: none"> <li>• SEA – Terrestrial – Threat status/ rarity</li> <li>• Precinct – specific reference to natural character – dwellings are RD</li> <li>• Pa site R10_87</li> </ul>
89 – Matakaitia Bay, Whangaparaoa	<ul style="list-style-type: none"> <li>• SEA_M2_66</li> <li>• SEA_T_7010</li> <li>• I535 Rodney Landscape Precinct – Sub G</li> </ul>	<ul style="list-style-type: none"> <li>• SEA – Terrestrial – threat status and rarity/ diversity/ stepping stones, pathway</li> <li>• SEA – Marine – Hobbs Bay intertidal area</li> <li>• Precinct – specific reference to natural character – dwellings are RD</li> </ul>
90 – Wade Heads, Whangaparaoa	<ul style="list-style-type: none"> <li>• SEA_T_6728</li> <li>• I535 Rodney Landscape Precinct – Sub E</li> </ul>	<ul style="list-style-type: none"> <li>• SEA – Terrestrial – threat status and rarity/ stepping stones, pathway</li> <li>• Precinct – specific reference to natural character – dwellings are RD</li> </ul>
91 – Weiti River, Whangaparaoa	<ul style="list-style-type: none"> <li>• SEA_M1_64a</li> <li>• SEA_T_6728</li> <li>• I535 Rodney Landscape Precinct – Sub E</li> </ul>	<ul style="list-style-type: none"> <li>• SEA – Terrestrial - threat status and rarity/ stepping stones, pathway</li> <li>• SEA – Marine – intertidal substrates</li> <li>• Precinct – specific reference to natural character – dwellings are RD</li> </ul>
92 - Chenery Road, Whangaparaoa	<ul style="list-style-type: none"> <li>• SEA_M1_64a</li> <li>• SEA_T_7017</li> <li>• I535 Rodney Landscape Precinct – Sub A and D</li> </ul>	<ul style="list-style-type: none"> <li>• SEA – Terrestrial –</li> <li>• SEA – Marine – intertidal substrates</li> <li>• Precinct – specific reference to natural character – dwellings are RD</li> </ul>
95 - Long Bay	<ul style="list-style-type: none"> <li>• SEA_T_3458</li> <li>• SEA_T_8102</li> <li>• SEA_M1_64a</li> <li>• I519 – Long Bay Precinct – Sub E</li> <li>• Historic heritage Item (heading south) 761, 731, 759, 734, 735, 756, 758, 865, 737</li> </ul>	<ul style="list-style-type: none"> <li>• SEA – Terrestrial – threat status and rarity/ diversity/ stepping stones, pathway</li> <li>• SEA – Terrestrial – Representativeness/ threat status, rarity/ stepping stones, pathway</li> <li>• SEA – Marine – intertidal substrates</li> <li>• Precinct is landscape focused specifically regarding natural character</li> <li>• Midden R10_321, Pa and Settlement site R10_189, Midden/Terraces R10_292, R10_190, R10_191, Midden R10_192, Midden R10_193, Midden and house site R10_288, Pa site R10_190, Vaughan Homestead, Midden R10_200</li> </ul>
96 – The Tor, Torbay	<ul style="list-style-type: none"> <li>• Historic heritage – item 745</li> </ul>	<ul style="list-style-type: none"> <li>• Midden R10_252</li> </ul>
99 – Kauri Point, Birkenhead	<ul style="list-style-type: none"> <li>• SEA_T_8170</li> <li>• I505 – Chelsea Precinct</li> <li>• Historic heritage – items 717, 880 - 896</li> </ul>	<ul style="list-style-type: none"> <li>• SEA – Terrestrial - Representativeness/ Threat status and rarity/ Diversity/ migration pathway/ uniqueness, distinctiveness</li> <li>• Chelsea precinct</li> <li>• Historic heritage – Te Matarae a Mana Pa R11_35, protection of interior and exterior of buildings associated with the refinery,</li> </ul>



100 – Fitzpatrick Bay, Birkenhead	<ul style="list-style-type: none"> <li>• SEA_T_8362</li> <li>• SEA_M1_59</li> <li>• Histori heritage item 806</li> </ul>	<ul style="list-style-type: none"> <li>• SEA – terrestrial – Representativeness/ Threat and rarity/ Diversity/ Uniqueness, distinctiveness</li> <li>• SEA- Marine – Soldiers Bay, only intact ecological sequence</li> <li>• Midden R11_977</li> </ul>
101 – Oruamo Creek, Upper Harbour	<ul style="list-style-type: none"> <li>• SEA_T_8313</li> <li>• I509 – Greenhithe Precinct – Sub A</li> <li>• Historic heritage items, 809, 825</li> </ul>	<ul style="list-style-type: none"> <li>• SEA – Terrestrial - Representativeness</li> <li>• SEA – Marine –</li> <li>• Precinct specifically protects the environmental values and landscape character – Subdivision (2ha) RD</li> <li>• Terrace/ Midden/ Findspot R11_980, Ditches R11_1257</li> </ul>
139 – Pollen Island	<ul style="list-style-type: none"> <li>• SEA_M1_53</li> <li>• SEA_M1_53w1</li> <li>• Historic heritage item 2184</li> </ul>	<ul style="list-style-type: none"> <li>• SEA -Marine – best remaining largely unmodified area of its type</li> <li>• SEA – Marine – significant wading bird habitat</li> <li>• Pollen island limeworks remains R11_2504</li> </ul>
140 – Watchmen Island – off Herne Bay	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	
141 – South Titirangi, Titirangi	<ul style="list-style-type: none"> <li>• SEA_M2_18</li> <li>• SEA_T_5539</li> <li>• Ridgeline Protection overlay</li> <li>• Waitakere Ranges Heritage Area</li> </ul>	<ul style="list-style-type: none"> <li>• SEA – Terrestrial - Representativeness/ Threat status and rarity/ Diversity/ migration pathway/ uniqueness, distinctiveness</li> <li>• SEA – Marine – Little Muddy Creek – variety of intertidal habitats, uninterrupted sequence</li> <li>• Ridgeline</li> <li>• Respects the Waitakere Ranges Heritage Area Act 2008 – regional park</li> </ul>
142 – Tahuna Torea, Tamaki River	<ul style="list-style-type: none"> <li>• SEA_T_5539</li> <li>• Ridgeline Protection overlay</li> </ul>	<ul style="list-style-type: none"> <li>• SEA – Terrestrial - Representativeness/ Threat status and rarity/ Diversity/ migration pathway/ uniqueness, distinctiveness</li> <li>• Ridgeline</li> </ul>
201 - Lowtherhurst Reserve Kauri Stand - Massey, Upper Waitemata Harbour	<ul style="list-style-type: none"> <li>• SEA_M2_55a</li> </ul>	<ul style="list-style-type: none"> <li>• SEA – Marine – Henderson Creek and Te Atatu - significant wading bird feeding ground, complex combination habitat</li> </ul>

*'Auckland's coastal environment is a fundamental part of the region's identity. It has high natural, social and cultural values, and economic uses. It is one of the most desirable places in New Zealand for living and recreation'.<sup>2</sup>* Consequently, the many uses made of the coast have to be managed to ensure that they do not threaten the life-supporting capacity of the marine environment, as a healthy marine environment is fundamental to many of the activities and values of the coast. There is a need to ensure integrated management of activities on both the land and sea to ensure the ecosystem services and values of the coastal environment are maintained. Subsequently, natural character as identified in the coastal environment overlaps with many other parts of the RPS and is given effect to through many different parts of the AUP. This is expanded on below.

<sup>2</sup> AUP Chapter B8 Coastal, Pg 1.

## Objectives and Policies (existing)

The following objectives and policies of the AUP are relevant to the qualifying matter:

AUP chapter	Objective	Policy
<b>B2.4 Residential growth</b>	<b>B2.4.1</b> (1) Residential intensification supports a quality compact urban form	<b>B2.4.2</b> Provide for lower residential intensity in areas: <b>(4)(c)</b> where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character; and
<b>B8.2 Natural Character</b>	<b>B8.2.1(1)</b> Areas of the coastal environment with outstanding and high natural character are preserved and protected from inappropriate subdivision, use and development. <b>(2)</b> Subdivision, use and development in the coastal environment are designed, located and managed to preserve the characteristics and qualities that contribute to the natural character of the coastal environment.	<b>B8.2.2(3)</b> Preserve and protect areas of outstanding natural character and high natural character from inappropriate subdivision, use and development by: <b>(a)</b> avoiding adverse effects of activities on natural character in areas of the coastal environment scheduled as outstanding natural character; and <b>(b)</b> avoiding significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment. <b>(4)</b> Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on natural character of the coastal environment not identified as outstanding natural character and high natural character from inappropriate subdivision, use and development.
<b>B8.3 Subdivision, use and development</b>	<b>B8.3.1(2)</b> The adverse effects of subdivision, use and development on the values of the coastal environment are avoided, remedied or mitigated.	<b>B8.3.2(2)</b> Avoid or mitigate sprawling or sporadic patterns of subdivision, use and development in the coastal environment by all of the following: <b>(a)</b> concentrating subdivision, use and development within areas already characterised by development and where natural character values are already compromised; <b>(5)</b> Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown or little understood, but could be significantly adverse. <b>(7)</b> Set back development from the coastal marine area, where practicable, to protect the natural character and amenity values of the coastal environment.
<b>D11 Outstanding Natural</b>	<b>D11.2 (1)</b> The natural characteristics and qualities of areas with outstanding natural	<b>D11.3 (1)</b> Subdivision, use and development in areas scheduled in Schedule 8 Outstanding

<p><b>Character and High Natural Character Overlay</b></p>	<p>character, or high natural character values are preserved and protected from inappropriate subdivision, use and development.</p> <p><b>(2)</b> Where practical areas with outstanding natural character or high natural character values in the coastal environment, including areas in the Waitākere Ranges Heritage Area and the Hauraki Gulf/To Moana Nui o Toi/Tīkapa Moana, are enhanced.</p>	<p>Natural Character and High Natural Character Overlay Schedule must:</p> <p><b>(b)</b> avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects, on the characteristics and qualities that contribute to the natural character values of high natural character areas;</p> <p><b>(c)</b> maintain significant landforms and indigenous vegetation and habitats that are significant natural characteristics and qualities in outstanding natural character and high natural character areas, to protect the visual and biophysical linkages between areas, while taking into account:</p> <ul style="list-style-type: none"> <li><b>i.</b> the location, scale and design of the proposed subdivision, use or development;</li> <li><b>ii.</b> the extent of anthropogenic changes to landform, vegetation, coastal processes and water movement;</li> <li><b>iii.</b> the presence or absence of structures, buildings or infrastructure;</li> <li><b>iv.</b> the temporary or permanent nature of any adverse effects;</li> <li><b>v.</b> the physical and visual integrity of the area, and the natural processes of the location;</li> <li><b>vi.</b> the intactness of any areas of significant vegetation and vegetative patterns;</li> <li><b>vii.</b> the physical, visual and experiential values that contribute significantly to the wilderness and scenic value of the area;</li> <li><b>viii.</b> the integrity of landforms, geological features and associated natural processes, including sensitive landforms such as ridgelines, headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs, streams, rivers and surf breaks;</li> <li><b>ix.</b> the natural characteristics and qualities that exist or operate across mean high water spring and land in the coastal environment, including processes of sediment transport, patterns of erosion and deposition, substrate composition and movement of biota, including between marine and freshwater environments; and</li> <li><b>x.</b> the functional or operational need for any proposed infrastructure to be located in the area.</li> </ul> <p><b>(2)</b> Promote land use practices and restoration activities that will enhance the values of outstanding natural character and high natural character areas.</p>
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<p><b>E12 Land Disturbance - district</b></p>	<p><b>E12.2(1)</b> Land disturbance is undertaken in a manner that protects the safety of people and avoids, remedies or mitigates adverse effects on the environment.</p>	<p><b>E12.3(1)</b> Avoid where practicable, and otherwise, mitigate, or where appropriate, remedy adverse effects of land disturbance on areas where there are natural and physical resources that have been scheduled in the Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character.</p>
<p><b>E15 Vegetation management and biodiversity</b></p>	<p><b>E15. 2 (1)</b> Ecosystem services and indigenous biological diversity values, particularly in sensitive environments, and areas of contiguous indigenous vegetation cover, are maintained or enhanced while providing for appropriate subdivision, use and development.  <b>(2)</b> Indigenous biodiversity is restored and enhanced in areas where ecological values are degraded, or where development is occurring.</p>	
<p><b>F2.2 Drainage, reclamation and declamation</b></p>	<p><b>F2.2.2(2)</b> The natural character, ecological values and natural coastal processes of the coastal marine area are not adversely affected by inappropriate reclamation, drainage or declamation</p>	<p><b>F2.2.3(2)</b> Where reclamation or drainage is proposed that affects an overlay, manage effects in accordance with the overlay policies.</p> <p><b>(13)</b> Enable the declamation of reclaimed land where it would achieve any of the following: restore the natural character and resources of the coastal marine area;</p>
<p><b>H7.4 Open Space – Conservation zone</b></p>	<p><b>H7.4.1 (1)</b> The natural, ecological, landscape, Mana Whenua and historic heritage values of the zone are enhanced and protected from adverse effects of use and development.  <b>(2)</b> Use and development complements and protects the conservation values and natural qualities of the zone.</p>	<p><b>H7.4.3(1)</b> Enable appropriate use and development that conserves, protects and enhances the natural, landscape, and historic heritage values of the zone.</p> <p><b>(2)</b> Protect and enhance ecological values, including habitats, significant ecological areas and any unique features present within the zone.</p>
<p><b>H7.5 Open Space – Informal recreation zone</b></p>	<p><b>H7.5.1 (2)</b> Maintain or enhance the natural character values of open spaces by retaining significant vegetation (where appropriate and practical) and through weed removal, new planting and landscaping.</p>	<p><b>H7.5.2(1)</b>The open and spacious character, amenity values and any historic, Mana Whenua, and natural values of the zone are maintained.</p>

<b>H7.6 Open Space – Sport and active recreation zone</b>	<b>H7.6.2(1)</b> Indoor and outdoor sport and active recreation opportunities are provided for efficiently, while avoiding or mitigating any significant adverse effects on nearby residents, communities and the surrounding areas	<b>H7.6.3(7)</b> Require activities and development in locations adjoining the coast or a water body to meet all of the following: <b>(c)</b> avoid areas scheduled for their outstanding natural landscape, outstanding or high natural character or historic heritage values
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The overlay is the predominant method for managing the HNCs within the Auckland urban area. Schedule 8 – Outstanding Natural Character and High Natural Character Area Schedule contains an assessment of each HNC and the overlay applies their spatial extent as a layer in GEOMAPS. The overlay incorporates a number of provisions to manage subdivision, use and development within the HNCs. It is noted that these tend to relate to rural activities such as pastoral farming as there are few HNCs in the urban environment. It is recommended that the overlay be amended to include specific reference to the urban based HNCs. Rules relating to land disturbance and vegetation management are contained in other chapters of the AUP.

## Development of Options

As discussed in the parent Section 32 analysis the ‘default base’ for consideration of options no longer includes a status quo of the Auckland Unitary Plan (Operative in Part) as the IPI is required to incorporate the mandatory requirements of the NPS-UD Policy 3 (updated May 2022) and the MDRS of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Therefore, against this base the following three options were considered for the qualifying matter:

1. **Adoption of the qualifying matter in full** – this option includes:
  - retain the areas of HNC within the RUB and as provided for in D11 as the management method
  - retain the record of these areas in Schedule 8 of the AUP
  - acknowledge and retain current maximum impervious surface control and Coastal protection yard standards from the AUP as mechanisms of the qualifying matter
  - acknowledge and retain specific provisions of Chapters E12, E15, E38 as mechanisms of the qualifying matter
  
2. **Removal of the qualifying matter** – this option seeks:
  - the modification of the overlay to remove its application from within the RUB and from Schedule 8
  - modify provisions in Chapters E12, E15, E38 to specifically exclude ONC/HNC provisions within the RUB
  - remove the areas from the GEOMAPS
  
3. **Strengthening the qualifying matter** – [Preferred option] this option includes:
  - retain the qualifying matter as described in Option one
  - apply the H3A zone to all relevant residential properties encroaching the areas of ONC/HNC within the RUB

Option 3 to strengthen the overlay as the primary method of the qualifying matter is the preferred option. Protection and preservation of the natural character of the Auckland region

is a matter of national importance under the RMA and specifically sought through Policy 13 of the NZCPS. The overlay will be further supported through the application of the underlying H3A low density zone over all residential properties currently encroaching – regardless of their current AUP zoning. As stated earlier the development potential of these properties is currently already restricted by the presence of the overlay so the application of this underlying zone will ensure visibility of the restriction and protection of the HNC area.

The MDRS does not protect or preserve the unique natural character of the HNC areas in the Auckland urban landscape and therefore it would be inappropriate to apply it to the residential zones within.

## Consequences for development potential

Option 4 above recommends the continued application of D11 as amended to accommodate the loss of the current low density zone of the AUP (SH) to continue to protect the natural character qualities of the 17 HNC areas in the Auckland urban area. There are approximately 66 SH zoned properties within these HNC areas. Any dwelling is subject to a Discretionary Activity consent. Associated land disturbance of more than 50m<sup>2</sup> and/or 250m<sup>3</sup> is subject to a Restricted Discretionary Activity consent. Vegetation removal of more than 50m<sup>2</sup> is subject to a Restricted Discretionary Activity consent.

The new low density residential zone restricts density to 1 dwelling per site and provides for development in general keeping with the current SH zone (unaffected by MDRS) for the AUP.

Subsequently, the development potential enabled through MDRS/NPS-UD Policy 3 (updated May 2022) will be constrained for these properties. It is worth noting that each of the HNC areas is unique and the residential development in these areas tends to respect these features. In light of this the intensification of the MDRS/NPS-UD would probably not be hugely acted upon so given the small number of properties involved this does not represent a huge impact on the overall development capacity of the region.

## Evaluation of options

As outlined above there were four options considered in the analysis of D11 as a qualifying matter. The following table considers the costs and benefits associated with those options.

Qualifying matter	Option 1 – retain QM	Option 2 – remove QM	Option 3 – modify MDRS/NPSUD	Option 4 – strengthen QM
<b>Costs of applying the QM – broader social, economic, environmental, cultural</b>	<b>Low economic cost:</b> Low number of properties involved. <b>Low enviro cost:</b> Maintaining protection of unique HNC's	<b>High cost to environment</b> ONC/HNC are required to be protected and preserved in accordance with the RMA and NZCPS and therefore it is not a feasible option to remove the	<b>Low economic cost:</b> : Low number of properties involved. <b>Low enviro and cultural cost:</b> Maintaining protection of unique HNC's	<b>Low economic cost:</b> : Low number of properties involved. <b>Low enviro and cultural cost:</b> Maintaining/ reinforcing protection of unique HNC's

		overlay from the urban area of Auckland.		
<b>Costs of applying QM – housing supply / capacity</b>	<b>Low costs:</b> Low number of properties involved.	<b>Low costs:</b> only few properties involved. Also, given approx. 1/3rd are recently developed, little gain to be made.	<b>Low costs:</b> Low number of properties involved	<b>Low costs:</b> Low number of properties involved
<b>Benefits of the QM – broader social, economic, environmental, cultural</b>	<b>No economic benefit :</b> few properties involved.  <b>High environmental benefits</b> – unique qualities of HNC continue to be protected and preserved.	<b>Some economic benefit.</b> as noted earlier the majority of the properties are also limited by other controls/overlays. There is little gain to be made through removing this overlay.	<b>High environmental benefits</b> – unique qualities of HNC continue to be protected and preserved.	<b>High environmental benefits</b> – unique qualities of HNC continue to be protected and preserved.

### Risk of acting or not acting

Section 32(2)(c) of the RMA requires this evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. The information about D11 Outstanding Natural Character and High Natural Character overlay as a qualifying matter, including the specific values and characteristics of the relevant high natural character areas in the urban landscape of Auckland is already provided in the AUP. It is considered that this information is certain and sufficient having been through a statutory process to be included in the AUP.

### Overall conclusion

In accordance with the MDRS and NPS-UD, the need to give effect to D11, but only in relation to the land that is subject to this overlay, is identified as a qualifying matter. D11 contributes to a well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

The impact of the qualifying matter on the development capacity enabled by Policy 3 and the MDRS is specific to the land subject to each of the HNCs within the urban area of Auckland.

## Information Used

Information relied on for this report is detailed here:

Document	How did it inform the development of the plan change
S32 Landscape Report on the National Policy Statement on Urban Development. Brown NZ Ltd, March 22	Provided expert opinion on the potential impact of proposed intensification within and in close proximity to the areas of HNC within the RUB. Supported underlying zone approach to support areas
Auckland Unitary Plan (Operative in Part)	<ul style="list-style-type: none"> <li>- Chapter D11 - Outstanding Natural Character and High Natural Character overlay sets out the current objectives, policies and provisions protecting/ enhancing the areas of ONC/HNC around the region.</li> <li>- Schedule 8 (of same name) provides status of the 17 areas of HNC within the RUB</li> <li>- E38 Subdivision - urban, E15 Vegetation management and biodiversity, E12 Land disturbance – district contain consequential provisions supporting the function of the overlay</li> </ul>
AUP IHP Hearings on Topics 010 RPS Heritage and Special Character and 019 Natural features, landscape and character	Provided history of D11 and Schedule 8 through evidence presented.

## Consultation

Schedule 1 of the RMA sets out the relevant consultation requirements for PC78.

Mana whenua have been engaged at various stages in the preparation to provide feedback on the process and to the development of PC78.

Council provided an opportunity to the Auckland community to comment on its 'preliminary response' proposals during the period April 19 to May 9, 2022. The consultation documentation included Information Sheet #6: Qualifying matters (Part 1) which provided a definition of a qualifying matter and an explanation of their ability to constrain the anticipated intensification in relation to NPS-UD and the RMA.

The government-specified qualifying matters and their corresponding list of AUP provisions were also provided as part of this consultation including areas of Outstanding Natural Character and High Natural Character under s77(a) and (b) and s77O(a) and (b).

Throughout this process subject matter experts have also been consulted regarding these areas and the response to the anticipated intensification of the NPS-UD and MDRS.