

Puketāpapa Local Board Workshop Agenda

Date of Workshop: Thursday, 08 December 2022

Time: 1.30pm – 3.35pm

Venue: Puketāpapa Local Board, 560 Mt Albert Road, Three Kings or via Microsoft Teams

Attendees: Ella Kumar (Chair), Fiona Lai (Deputy Chair), Roseanne Hay, Mark Pervan Bobby Shen, Jon Turner

Apologies:

Staff attending: Nina Siers, (Local Area Manager), Mary Hay (Senior Local Board Advisor), Vanessa Phillips (Local Board Advisor) and Kat Teirney (Strategic Broker)

Reminder: Time	Workshop Item	Presenter
1.30pm – 1.35pm (5 mins)	1.0 Welcome/Karakia	Board
1.35pm - 2.05pm (30 mins)	2.0 Member time	Board
2.05pm -2.20pm (15 mins)	3.0 Local Board Annual Planning - Finalise consultation content Governance role: Input into regional decision making. Section 7 sets out other reasons for excluding the public (these reason may be outweighed by public interest. In summary these reasons relate to: LGOIMA 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. -	Mary Hay Senior Local Board Advisor Vanessa Phillips Local Board Advisor David Rose Lead Financial Advisor Financial Strategy and Planning
2.20pm – 3.30pm (70 mins)	4.0 Local Board feedback - Confirm NPS – UD - RMA reforms	Mary Hay Senior Local Board Advisor Vanessa Phillips Local Board Advisor
3.30pm – 3.35pm (5mins)	5.0 Closing Karakia	Board

Next workshop: Thursday, 26 January 2023 at 9.30am.

Next business meeting: Thursday, 26 January 2023 tbc.

Local Board feedback on Auckland Unitary Plan changes 78-83

File No.: CP2022/16303

Te take mō te pūrongo

Purpose of the report

1. To seek feedback from the local board on Auckland Council's notified plan changes and variations that implement:
 - the National Policy Statement on Urban Development 2020 (NPS-UD)
 - amendments to the Resource Management Act 1991 (RMA) requiring medium density residential standards (MDRS) be incorporated
 - additions and amendments to the Historic Heritage and Notable Tree Schedules.
2. To provide an overview of submissions received from 18 August to 29 September 2022 on the council's plan changes and variations.

Whakarāpopototanga matua

Executive summary

3. Decision-makers on the Auckland Unitary Plan (AUP) must consider local boards' views on plan changes and variations if local boards choose to provide their views. This report is the mechanism for the local board to resolve and provide its feedback on the plan changes and variations that seek to implement the NPS-UD and RMA requirements.
4. The council's response to the NPS-UD and RMA amendments are set out in plan changes 78-83 (PC 78–83) and in variations 4 and 5:
 - PC 78 is the council's intensification plan change, and is the main one that implements the NPS-UD and the RMA amendments
 - PC 79 amends the AUP transport provisions to manage effects of intensification on the transport network. It includes provisions for pedestrian safety, lighting and electric vehicle re-charging stations for multi-unit development
 - PC 80 amends the AUP's Regional Policy Statement to align it with the NPS-UD
 - PC 81 adds buildings to the AUP's historic heritage schedule (Schedule 14)
 - PC 82 amends details in the AUP historic heritage schedule (Schedule 14), mainly by enlarging or reducing the size of historic places already scheduled
 - PC 83 adds new notable trees and corrects errors in the AUP schedule of notable trees (Schedule 10)
 - variation 4 relates to rezoning of some areas of open space already proposed to be rezoned to residential land
 - variation 5 relates to a site-specific rezoning (at Schnapper Rock Road in Greenhithe).
5. Some amendments to the AUP are mandatory. The council must change the AUP to implement the NPS-UD and amendments to the RMA. The NPS-UD also allows the council to make decisions on some other matters to help shape Auckland's well-functioning urban environment. These include:
 - i) the size of walkable catchments, where enabling buildings of six storeys or more is required. These are the areas around the city centre, rapid transit stops, and the ten metropolitan centres (Albany, Takapuna, Westgate, Henderson, New Lynn, Newmarket, Sylvia Park, Manukau, Botany and Papakura)

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- ii) the building heights and density of urban form to enable residential development within and next to neighbourhood centres, local centres, and town centres
 - iii) The “qualifying matters” that will apply in some areas of Auckland that may allow the council to modify (or limit) the required building heights and density to the extent necessary to accommodate the qualifying matters.
6. Central government has identified potential qualifying matters in NPS-UD and RMA amendments. The council has included other ‘qualifying matters’ in PC 78 that are important for Auckland.
7. The plan changes and variations were open for submission over a six-week period, concluding on 29 September 2022. Submissions have now been coded and summarised, and further submissions may be lodged from 24 November to 8 December 2022. Further submissions can be made in support or opposition to an original submission but cannot introduce new matters.
8. Preliminary analysis of submissions identified these themes:
- a) support and opposition to the zoning changes proposed
 - b) support or opposition for the extent of walkable catchments and related height/intensification
 - c) opposition to how qualifying matters have been applied, including opposition from large-scale developers to the application of the new Residential Low-Density zone as the way that some qualifying matters are implemented
 - d) support and opposition to special character as a qualifying matter
 - e) support for water and wastewater infrastructure as a qualifying matter in some locations e.g. Whangaparāoa, and opposition to this qualifying matter where landowners seek rezoning that increases the density of development on their site(s)
 - f) requests to rezone and apply MDRS to land in the light rail corridor which is excluded from PC 78.
9. Local boards are now invited to provide feedback on the council’s plan changes and variations which will be provided to the independent hearings panel for its consideration. These views must be the subject of a local board resolution.

Ngā tūtohunga Recommendation/s

That the Puketāpapa Local Board:

- a) provide feedback on PC 78, PC 79, PC 80, PC 81, PC 82, and PC 83
- b) provide feedback on variations 4 and 5
- c) appoint a local board member to speak to the local board views at a hearing in 2023
- d) delegate authority to the chairperson of the local board to make a replacement appointment in the event the local board member appointed in resolution c) is unable to attend the hearing.

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Horopaki Context

Policy development

10. The NPS-UD and RMA amendments require that a proposed intensification plan change be notified by 20 August 2022. The Planning Committee and local board chairs (or their delegates) attended workshops and meetings throughout 2021 and 2022. Since October 2021, local boards and mana whenua have contributed to the development of the PCs 78-83, resulting in the approval of six plan changes and two variations to the AUP.

Decision-making authority

11. Each local board is responsible for communicating the interests and preferences of people in its area about the content of Auckland Council's strategies, policies, plans, and bylaws. Local boards provide their views on the content of these documents. If the local board chooses to provide its views, those views will be provided in writing to the independent hearings panel.
12. Decision-makers must consider local boards' views when deciding the content of these policy documents (as required by sections 15-16 Local Government (Auckland Council) Act 2009). PCs 78-83 and variations 4 and 5 will be included in the AUP, if approved.
13. An amendment to the RMA created a different hearings process for PC 78 and variations 4 and 5. The independent hearing panel makes recommendations to council about these. For PCs 79-83, the hearings panel is delegated responsibility to make the decisions on these, without reference back to council.
14. Local board members may then present the local board's views at the hearing of the plan changes by the independent hearings panel. Local board views will be considered when the council makes decisions on the recommendations for PC 78 and Variations 4 and 5.
15. This report provides an overview of the plan changes and variations, and a preliminary summary of submissions' key themes. Local board views must be the subject of a local board resolution(s) if those views are provided to the panel.

Tātaritanga me ngā tohutohu Analysis and advice

16. Local board feedback on PCs 78-83 and variations 4 and 5 is now sought through resolutions at this meeting. This feedback will be forwarded to the independent hearings panel for its consideration.
17. Plan change provisions over which council has some discretion include the following key matters in PC78:
 - i) the extent of walkable catchments from the edges of the city centre and metropolitan centres and around rapid transit network stops (as required under NPS-UD Policy 3(c))
 - ii) the approach to, and extent of, intensification of areas within and adjacent to town, local and neighbourhood centres (as required under NPS-UD 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 by the NPS-UD Policy 3 and/or the medium density residential standards that must be applied to Auckland's relevant residential zones.
18. Submissions were received on plan change matters that are mandatory in the NPS-UD and RMA amendments. Mandatory matters include the introduction of walkable catchments, the enablement of six storey buildings in all zones in walkable catchments, and the incorporation of MDRS in all "relevant residential zones" (Terrace Housing and Apartment Buildings zone, Mixed Housing Urban and Low-Density zone) outside walkable catchments. As these

matters are mandatory, the independent hearings panel will be unable to recommend changes in response to these submissions.

19. All submissions have been numbered, organised and allocated to topics in the summary of decisions requested to enable evaluation and assessment by staff and the public. This information is available to local boards via the Auckland Unitary Plan webpage when it is publicly notified from 5 December 2022. It will also be provided to the independent hearings panel to assist the panel with understanding the public's view of the council's plan changes and variations, and with formulating arrangements for hearings in 2023. Table 1 provides the numbers of submissions received.

Table 1 Submissions received on PC 78 and related changes

Plan change number	Plan change name	Number of submissions received	Spatial application of the plan change
78	Intensification	2398	All Auckland except Hauraki Gulf Islands
79	Amendments to the Transport Provisions	128	All Auckland except Hauraki Gulf Islands
80	Regional Policy Statement Well-Functioning Urban Environment, Resilience to the Effects of Climate Change and Qualifying Matters	88	All Auckland
81	Additions to Schedule 14 Historic Heritage Schedule	53	Various locations, see Attachment A
82	Amendments to Schedule 14 Historic Heritage Schedule	33	Various locations, see Attachment A
83	Additions and amendments to Schedule 10 Notable Trees Schedule	25	Various locations, see Attachment A
Variation 4 to PC60	Open Space and Other Rezoning Matters	12	Various locations, see Attachment A
Variation 5 to PC66 (Private)	57 and 57a Schnapper Rock Road	5	Greenhithe, see Attachment A Upper Harbour Local Board

Tauākī whakaaweawe āhuarangi Climate impact statement

20. 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.
21. 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 states 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.”

22. Implementing 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 RMA amendments will also achieve this outcome. However, a key aspect of the council’s submission on the RMA amendments 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.

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

23. All relevant council departments and some Council Controlled Organisations contributed to preparing the council’s plan changes to implement the NPS-UD and the RMA amendments. Auckland Transport and Watercare will have an ongoing role during the hearings, contributing to the council’s evidence presented to the independent hearings panel. Eke Panuku is a submitter, and so is not part of the council team that will prepare and present evidence to the independent hearings panel.

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

24. 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 2022 on the NPS-UD. Local boards also received a detailed briefing on the council’s preliminary response in March and May 2022.
25. Although not local board views, as these require a business meeting resolution, the following local boards provided local board input to Planning Committee regarding the government’s intensification directives:
- Ōrākei Local Board presented on the Resource Management (Enabling Housing and Others Matter) Bill on 4 November 2021, and on the National Policy Statement on Urban Development on 31 March 2022
 - Albert-Eden, Devonport-Takapuna, Henderson-Massey, Kaipātiki, Mangere-Ōtāhuhu, Ōrākei, Puketāpapa, Waitematā, and Whau Local Boards all presented to the Planning Committee on NPS UD on 30 June 2022
 - Manurewa Local Board presented regarding provision and protection of green space where intensification is planned on 4 August 2022, the meeting where the plan changes were approved for notification.
26. Factors the local board may wish to consider in formulating its view:
- interests and preferences of people in the local board area
 - well-being of communities within the local board area
 - local board documents, such as the local board plan and local board agreement
 - responsibilities and operation of the local board.

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Tauākī whakaaweawe Māori Māori impact statement

Context

27. Auckland Council has obligations under Te Tiriti o Waitangi and council's 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. The [Schedule of Issues of Significance](#) is a statutory document that guides the Independent Māori Statutory Board's advocacy to Auckland Council, Local Boards and Council-Controlled Organisations, for and on behalf of Māori in Tāmaki Makaurau.
28. If the local board chooses to provide its views on the plan changes it includes the opportunity to comment on matters that may be of interest or importance to Māori People, well-being of Māori communities or Te Ao Māori (Māori worldview). More than 180,000 Aucklanders identify as Māori, as at the time of the 2018 census.

Potential impact of plan changes and variations for Māori

29. 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).
30. None of the plan changes or variations trigger an issue of significance as identified in the Schedule of Issues of Significance or Māori Plan (2017, Independent Māori Statutory Board).

Māori involvement and feedback

31. The relevant qualifying matters set out in the NPS-UD and RMA amendments 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.
32. 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.”*
33. 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.
34. Individual and collective engagement raised key themes relating to matters like 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.

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35. Common themes shared in hui include:
- a) universal access to be provided in residential design for less able whānau 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 lhumātao)
 - 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) avoiding exacerbating natural hazard risks
 - n) maintaining the cultural significance of the Waitākere Ranges Heritage Area
 - o) concern that Future Urban Zone land will be prematurely rezoned.

Ngā ritenga ā-pūtea

Financial implications

36. NPS-UD implementation has been progressing within existing budgets. However, the RMA amendments resulted in a significant increase in the scale and complexity of the project, without any changes to the NPS-UD implementation timeframes. This requires a greater than anticipated level of change to the AUP, for example there are changes proposed to more than 60 AUP chapters.
37. The financial impact of these changes will affect the current 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 council. Any impacts will be of a scale that will not affect the council's overall financial position, nor affect any boards' assets or operations.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

38. There is a risk that, due to timeframes, the local board will be unable to provide its views and preferences on the plan changes and variations if it doesn't pass a resolution. This report provides:
- the mechanism for the local board to express its views and preferences
 - the opportunity for a local board member to speak at the relevant hearings.
39. If the local board chooses not to pass a resolution at this business meeting, these opportunities are forgone.
40. The power to provide local board views regarding the content of a private plan change cannot be delegated to individual local board member(s) (see Local Government Act 2002,

Sch 7, cls 36D). This report enables the whole local board to decide whether to provide its views and, if so, to determine what matters those views should include.

Ngā koringa ā-muri

Next steps

Local board views

41. Resolutions of the local board will be provided to the independent hearings panel in the first quarter of 2023. The local board member delegated the authority to speak to local board views will be invited to the relevant hearings. Local board resolutions will also be reported to the Planning, Environment and Parks Committee for its decision-making on the recommendations it receives from the independent hearings panel.

Process for plan changes and variations

42. Staff continue to analyse the submissions received, and this analysis will be presented in evidence to the independent hearings panel during the hearing of submissions in 2023. A report to the Planning, Environment and Parks Committee will request a sub-group be established as decision-maker for policy shifts that may arise during the hearings (as decisions may be required more quickly than can be achieved by reporting to meetings in compliance with the Local Government Official Information and Meeting Act).

Ngā tāpirihanga

Attachments

No.	Title	Page
A	Local board areas in which changes are proposed for historic heritage or notable trees and variations	

Ngā kaihaina

Signatories

Authors	Eryn Shields - Team Leader Regional, North West and Islands
Authorisers	John Duguid - General Manager - Plans and Places Louise Mason - General Manager Local Board Services Nina Siers - Local Area Manager

Attachment A Local Board areas in which changes are proposed for historic heritage or notable trees, and Variations

Plan change 81 Additions to Schedule 14 Historic Heritage Schedule		
Local Board area	Number of historic heritage places or areas added:	Number on land controlled by local board, or are local board assets for example, a building on a reserve:
Whau	1 historic heritage place	0
Waitematā	3 historic heritage places and 2 historic heritages	0
Rodney	1 historic heritage place and 1 historic heritage area	1 historic heritage place (Wilson's Portland Cement Dam, Sandspit Rd, located on Open Space – Conservation zone) and 1 historic heritage area (Puhoi Township, some of proposed historic heritage relates to open space zone)
Ōrākei	1 historic heritage place and 1 historic heritage area	0
Albert Eden	1 historic heritage place	0
All other local board areas	nil	not applicable

[Information sheet](#) for Plan Change 81

Plan change 82 Amendments to Schedule 14 Historic Heritage Schedule		
Local Board area	Number of historic heritages places whose scheduling is amended:	Number on land controlled by LB, or are LB assets for example a building on a reserve:
Whau	2	1
Waitākere Ranges	2	0
Kaipātiki	29	9
Howick	2	0
Henderson-Massey	6	2
Franklin	1	0
Devonport – Takapuna	57	18
All other local board areas	nil	nil

[Information sheet](#) for plan change 82

[Index of historic heritage places and properties](#) subject to amendment by Plan Change 82

Plan change 83 Additions and amendments to Schedule 10 Notable Tree Schedule

Local Board area	Number of trees added	Number of trees removed	Number of listings amended	Number on land controlled by LB for example on a reserve
Whau	8	1	1	
Waitematā	2	4	7	
Waitākere Ranges	0	1	2	
Upper Harbour	5 and 1 group	0	3	
Rodney	5	1	3	R308 Oteha Valley Road (1 x magnolia), R320 Rosedale Road (4 x swamp spanish oak), R142-178 Sanders Road (amendment)
Puketāpapa	1 and 1 group	0	0	
Papakura	0	2	1	
Ōtara-Papatoetoe	0	2	1	
Ōrākei	2	6	0	
Maungakiekie-Tāmaki	1 and 1 group	7	8	
Manurewa	0	1	0	
Māngere-Ōtāhuhu	0	4	2	
Kaipātiki	5	1	3	
Howick	0	0	1	
Hibiscus and Bays	0	2	3	
Henderson-Massey	0	4	4	
Franklin	0	7	8	2 x Norfolk Island Pines - 17R Pohutukawa Road
Devonport – Takapuna	0	5	1	
Albert Eden	0	5	5	

[Information sheet](#) for Plan Change 83

Variation 4 to Plan Change 60: Open Space and Other Rezoning Matters

Local Board area	<p>Number of properties proposed to be rezoned to incorporate medium density residential standards as required by amendments to the Resource Management Act</p> <p>Incorporating MDRS is achieved by rezoning to a relevant residential zone (Low Density Residential, Mixed Housing Urban, or Terrace and Apartment buildings Zone). The residential zones proposed by PC 60 (Single House or Mixed Housing Suburban) are not relevant residential zones.</p> <p>PC 60 was not completed by the time PC 78 was notified so council was required to propose re-zoning a second time, and was prevented from including these properties in PC 78.</p> <p>All these properties had been reserves managed by Local Boards but earlier decisions were made to divest these assets, including decisions by the relevant Local Boards</p>
Māngere-Ōtāhuhu	<p>3 from Residential Mixed Housing Suburban to Residential Mixed Housing Urban 5R Ferguson Street, Mangere East 50 and 62 Mayflower Close, Mangere East</p>
Franklin	<p>2 from Residential Single House to Residential Mixed Housing Urban 67 East Street, Pukekohe Paerata Road, Pukekohe (lot 6 DP 16500)</p> <p>2 from Residential Mixed Housing Suburban to Residential Mixed Housing Urban Princes Street West, Pukekohe (section 1 SO 430835) 8 Magnolia Drive, Waiuku</p> <p>2 from Residential Single House to Residential Low Density Residential 39R Pohutukawa Road, Beachlands 17W Hawke Crescent, Beachlands</p>
Devonport – Takapuna	<p>1 from Residential Mixed Housing Suburban to Residential Mixed Housing Urban 24R Linwood Ave, Forrest Hill</p>
All other local board areas	Nil

Variation 5 to Plan Change 66: Schnapper Rock Road

Local Board area	<p>Number of properties proposed to be rezoned to incorporate medium density residential standards as required by amendments to the Resource Management Act</p> <p>Incorporating MDRS is achieved by rezoning to a relevant residential zone (Low Density Residential, Mixed Housing Urban, or Terrace and Apartment buildings Zone). The residential zones proposed by PC 66 (Single House and Mixed Housing Suburban) are not relevant residential zones.</p> <p>PC 66 was not completed by the time PC 78 was notified so council was required to propose re-zoning a second time, and was prevented from including these properties in PC 78.</p>
Upper Harbour	<p>1 Single House zone and 1 Mixed Housing Suburban zone to 1 Low Density Residential and 1 Mixed Housing Urban: 57 and 57A Schnapper Rock Road</p> <p>Both are privately owned properties</p>
All other local board areas	Nil