



Proposed Plan Change 120: Housing Intensification and Resilience (PC120)

to the Auckland Unitary Plan (Operative in part)

Section 32 and Schedule 3C of the Resource Management Act 1991 for qualifying matter:

Waitākere Ranges Heritage Area

EVALUATION REPORT

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Executive Summary

This report is prepared as part of the evaluation required by Section 32 and Schedule 3C of the Resource Management Act 1991 (**RMA**) for proposed Plan Change 120 [Auckland Housing Planning Instrument] (**PC120**) to the Auckland Unitary Plan (Operative in Part) (**AUP**).

The Waitākere Ranges Heritage Area overlay (D12) is a Qualifying Matter in accordance with clause 8(1)(a) of Schedule 3C of the RMA, because it relates to the following matters under s77I of the RMA:

(a) a matter of national importance that decision makers are required to recognise and provide for under section 6:

(b) a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitākere Ranges Heritage Area Act 2008:

The WRHA predominantly sits outside the RUB on the western edge of the Auckland urban area. Due to its location the WRHA is not subject to Clause 4(1)(b) of Schedule 3C of the RMA.

The WRHA overlay divides the heritage area into Subdivision Scheduled Areas/ Sites which prescribe additional subdivision standards when subdividing in the specified areas/sites. These are recorded in Schedule 16 of the AUP (Waitākere Ranges Heritage Area Overlay Subdivision Scheduled Areas/ Sites). Of the area that sits within the RUB the zoning is predominantly Residential - Large Lot zone (LL) and approximately 27 properties zoned Residential – Single House zone (SH). There are also a couple of properties zoned Residential – Mixed Housing Suburban zone (MHS) which are partially subject to the WRHA. The LL zone is not deemed a ‘relevant residential’ zone in accordance with the NPS-UD and therefore is not subject to the intensification required through this plan change, unless it is situated within a walkable catchment of a centre or RTN Railway Station. The LL and SH zones are the low-density residential zones for the urban area providing for single house development of 1-2 storeys. The placement of these zones within the WRHA and within the adjoining urban area reflect the local legacy of urban development that respects and protects the natural environment and provide support to the overlay and its edge.

The WRHA is only a qualifying matter for a property within the walkable catchment of the Swanson RTN Railway Station. Policy 3 of the NPS-UD requires properties to be built to a height of at least six storeys within a walkable catchment. In accordance with the WRHA the property is subject to the bespoke provisions of a subdivision schedule and standard D12.6.4.23 which limit the development of the property and specifically restricts height to reflect the location of the property within the heritage area and in proximity to the Swanson rail station. The underlying LL zone enables single dwelling development to a height of 8metres.

Despite being situated inside the walkable catchment Council recommends that the WRHA overlay and the underlying LL zone and provisions be retained for this property to support

and protect the edge of the heritage area.

Council also recommends all of the properties zoned for SH within the WRHA be retained in this zone to reflect the importance of their location within the heritage area. Although not subject to policy 3 of the NPS-UD these properties are potentially subject to intensification to achieve the capacity required through the NPS-UD. Council considers this intensification incompatible with the intention and values of the overlay and the Waitākere Ranges Heritage Area Act 2008. Amendments are recommended to the WRHA overlay to recognize and provide for the retention of the SH zone over the residential properties and minor adjustments are recommended to the introduction section to ensure accurate contextual information.

No adjustments to the extent of the overlay are proposed.

1. Introduction

1. This report is prepared as part of the evaluation required by Section 32 and Schedule 3C of the Resource Management Act 1991 (**RMA**) for proposed Plan Change 120 [Auckland Housing Planning Instrument] (**PC120**) to the Auckland Unitary Plan (Operative in Part) (**AUP**).
2. The background to and objectives of PC120 are discussed in the overview report, as is the purpose and required content of section 32 and Schedule 3C evaluations.
3. This report discusses the implications of applying an area of the D12 Waitākere Ranges Heritage Area overlay and associated Schedule 16 (of the same name) as a qualifying matter to the requirements of clause 4(1)(b) of Schedule 3C of the RMA and the implementation of policy 3 of the NPS-UD. This report also evaluates the provisions which have been included in PC120 relating to the preservation and protection of this nationally, regionally and locally protected heritage area. Due to its location the D12 Waitākere Ranges Heritage Area is not subject to Clause 4(1)(b) of Schedule 3C of the RMA.
4. The Council may make the relevant building height or density requirements of policy 3 of the NPS-UD less enabling of development in relation to an area within any zone in an urban area only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:
 - (a) a matter listed in section 77I(a) to (i);
 - (b) any other matter that makes higher density, as specified by clause 4(1)(b) or (c) of Schedule 3C of the RMA or policy 3 of the National Policy Statement on Urban Development 2020 (**NPS-UD**), inappropriate in an area but only if subclause (4) of clause 8 of Schedule 3C is satisfied.
5. Under clause 8(2) of Schedule 3C of the RMA, the evaluation report required under section 32 of the RMA must in relation to a proposed amendment to accommodate a qualifying matter under subclause (1)(a) or (1)(b) of clause 8:
 - (a) demonstrate why the Council considers:
 - (ii) that the area is subject to a qualifying matter; and

- (iii) that the qualifying matter is incompatible with the level of development provided by clause 4(1)(b) or (c) or policy 3 for that area; and
 - (b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and
 - (c) assess the costs and broader impacts of imposing those limits.
- 6. Under clause 8(4) of Schedule 3C of the RMA, the evaluation report required under section 32 of the RMA must, in relation to a proposed amendment to accommodate a qualifying matter under subclause (1)(b) (an "other" qualifying matter), also:
 - (a) identify the specific characteristic that makes the level of development specified by clause 4(1)(b) or (c) or policy 3 inappropriate in the area; and
 - (b) justify why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and
 - (c) include a site-specific analysis that—
 - i. identifies the site to which the matter relates; and
 - ii. evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and
 - iii. evaluates an appropriate range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) or policy 3 while managing the specific characteristics.
- 7. Under clause 8(5) of Schedule 3C of the RMA, the Council may, when considering existing qualifying matters (a qualifying matter referred to in clause 8(1)(a) of Schedule 3C of the RMA that is operative in the AUP when the Auckland housing planning instrument (**PC120**) is notified), instead of undertaking the evaluation process described in clause 8(2), do all of the following things:
 - (a) identify by location (for example, by mapping) where an existing qualifying matter applies;
 - (b) specify the alternative heights or densities (as relevant) proposed for those areas identified under paragraph (a);
 - (c) identify in the evaluation report why the Council considers that one or more existing qualifying matters apply to those areas identified under paragraph (a);
 - (d) describe in general terms for a typical site in those areas identified under paragraph (a) the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been provided by clause 4(1)(b) or (c) or policy 3;
 - (e) notify the existing qualifying matters in the Auckland housing planning instrument.

2. Integrated evaluation for qualifying matters

8. For the purposes of PC120, evaluation of the Waitākere Ranges Heritage Area overlay as a qualifying matter has been undertaken as described in the evaluation approach described in the table below.
9. The preparation of this report has involved the following:
 - (a) assessment of the AUP(OP) to identify any relevant provisions that apply to this qualifying matter
 - (b) review of the AUP(OP) to identify all relevant provisions that require a consequential amendment to integrate the application of this qualifying matter
 - (c) review of the AUP(OP) Maps to assess the spatial application of this qualifying matter
 - (d) section 32 options analysis for this qualifying matter and related amendments
10. The scale and significance of the issues is assessed to be minor.
11. This section 32/ Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Table 1 Integrated approach for any matter specified in section 77I(a) to (i) that is operative in the AUP when the Auckland housing planning instrument (PC120) is notified)

Standard sec 32 steps	Plus clause 8 Schedule 3C steps for existing qualifying matter
Issue Define the problem- provide overview/summary providing an analysis of the qualifying matter	Identify whether an area is subject to an existing qualifying matter (a qualifying matter referred to in clause 8(1)(a) of Schedule 3C of the RMA that is operative in the AUP when the Auckland housing planning instrument (PC120) is notified) and describe the existing qualifying matter. Identify by location (for example, by mapping) where an existing qualifying matter applies.
Identify and discuss objectives / outcomes	Identify relevant RPS / district level objectives and policies. Specify the alternative heights or densities (as relevant) proposed for those the area where the existing qualifying matter applies.
Identify and screen response options	Consider a range of reasonably practicable options for achieving the objectives including alternative standards or methods for these areas having considered the particular requirements in clause 4(1)(b) or (c) of Schedule 3C of the RMA or Policy 3 of the NPS-UD and assess the efficiency and effectiveness of the provisions.

Collect information on the selected option(s)	Describe in general terms for a typical site in the identified areas the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been provided by clause 4(1)(b) or (c) of <u>Schedule 3C of the RMA</u> or policy 3 of the NPS-UD.
Evaluate option(s) - environmental, social, economic, cultural benefits and costs	Provide an assessment of the benefits and costs of the options in the light of the new objectives introduced by the NPS-UD relating to well-functioning urban environments.
Overall judgement as to the better option (taking into account risks of acting or not acting)	Conclusion as to the implications of the qualifying matter for development capacity to be enabled by NPS-UD in the areas where the qualifying matter applies.

3. Issues

4. The qualifying matter being evaluated is the Waitākere Ranges Heritage Area overlay (WRHA) which along with the associated schedule (Schedule 16 Waitākere Ranges Heritage Area Subdivision Areas/Sites) gives effect to the Waitākere Ranges Heritage Area Act 2008 (**Attachment 1**) through the spatial identification of the heritage area in the AUP maps and supporting provisions to protect and preserve the area from inappropriate subdivision, use and development.
5. The WRHA overlay (D12) is a qualifying matter in accordance with the following sections of s771 of the RMA:
 - (a) *a matter of national importance that decision makers are required to recognise and provide for under section 6:*
 - (d) *a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitākere Ranges Heritage Area Act 2008:*
6. The Waitākere Ranges Heritage Area Act 2008 (WRHAA) establishes the boundary of the heritage area (Schedule 1 to the WRHAA);
 - a. states the national significance of the heritage area and defines its heritage features;
 - b. specifies the objectives of establishing and maintaining the heritage area;
 - c. requires the council to give effect to the Act's purpose and objectives in plan development at both regional and district levels and when considering discretionary and non-complying resource consent applications; and
 - d. provides additional matters for council to consider when making a decision, exercising a power or carrying out a duty that relates to the heritage area.
7. The area covered by the WRHA overlay and the associated Subdivision Schedules directly corresponds with the area that is shown in Map 1 of Schedule 1 of the WRHAA.

The WRHA overlay is displayed as a Natural Heritage Management layer in GIS. **Figure 1** below illustrates the WRHA overlay when activated in GIS – displayed as green circles.

8. The WRHA overlay also gives effect to Chapter B4.4 Natural Heritage of the AUP which recognises the WRHA as a matter of regional significance describing the ranges as an important backdrop to metropolitan Auckland and as outstanding for their ecosystems. The overlay divides the heritage area into Subdivision Scheduled Areas/ Sites which prescribe additional subdivision standards when subdividing in the specified areas/sites. These are recorded in Schedule 16 of the AUP (Waitākere Ranges Heritage Area Overlay Subdivision Scheduled Areas/ Sites). Relevant areas are expanded on in this report. It is noted that the objectives, policies and standards in E38 Subdivision – Urban and E39 Subdivision – Rural also apply to subdivision in these areas unless otherwise specified.
9. Chapter B2.2 of the AUP (Urban growth and form) carefully considers the location of the RUB in seeking to achieve sufficient development capacity within the urban environment while *protecting the natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana whenua, natural resources, etc*¹. As noted earlier the WRHA is contained in Schedule 16 of the AUP and is therefore specifically considered for protection under Policy B2.2.2 (2)(h) of this chapter.
10. The WRHA overlay predominantly sits outside the Rural Urban Boundary (RUB) where it is largely supported by Chapters H20 Rural - Waitākere Ranges zone and H21 Rural – Waitākere Foothills zone. As this rural based portion sits outside the RUB it is not subject to urban intensification pressure. Furthermore, given the location of the entire WRHA it is also not subject to the intensification recommended to be enabled by Schedule 3C of the RMA.

¹ AUP Chapter B2.2.2(2)(h) Development capacity and supply of land for urban development, pg2

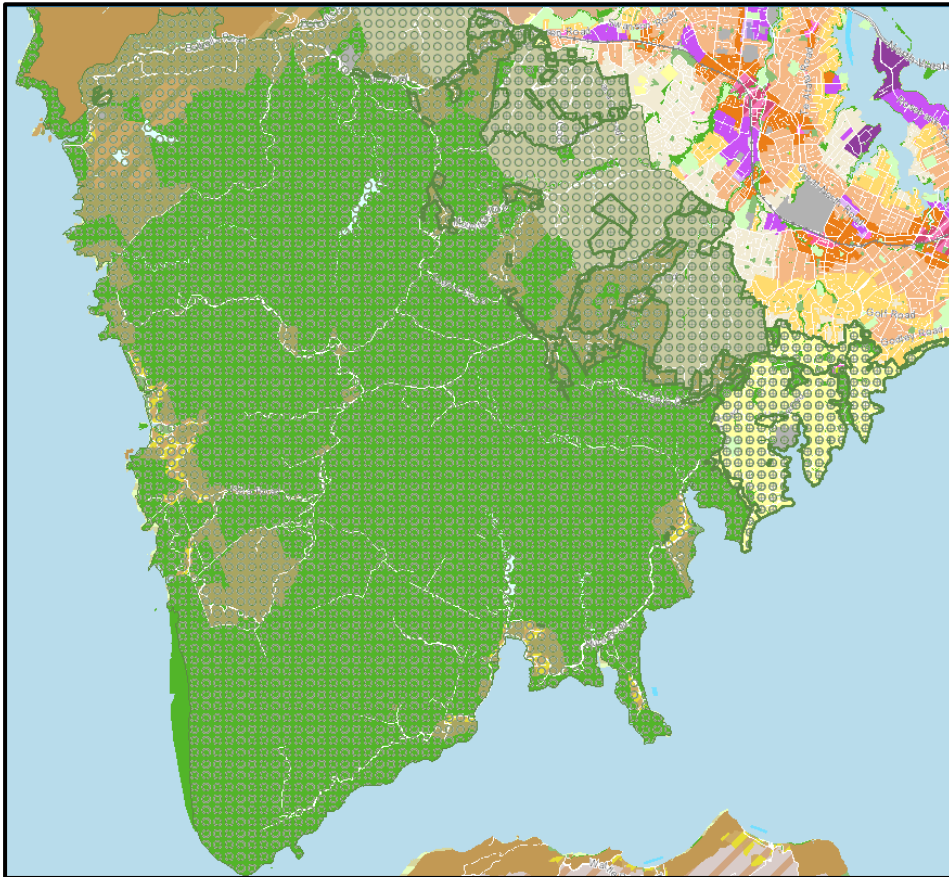


Figure 1: Waitākere Ranges Heritage Area overlay extent

11. The WRHA area within the RUB is predominantly zoned Residential – Large Lot zone (LL) and Residential – Single House zone (SH) which currently represent the low-density zones of the AUP providing for larger lot sizes and single dwellings of 1-2 storeys. In accordance with the NPS-UD the LL zone is not deemed to be a ‘zone within an urban environment and therefore, with the exception of property located within the walkable catchment of the Swanson RTN Rail Station (expanded on below), the LL zone is not subject to the anticipated intensification of policy 3.
12. In accordance with policy 3 of the NPSUD residential properties within the walkable catchment of a RTN Railway Station are required to increase density and enable buildings to a height of at least 6 storeys except where one or more qualifying matters are present. Residential properties within the walkable catchment of the Swanson RTN Rail Station are recommended to be rezoned Residential – Terraced Housing and Apartment Buildings zone and to enable building heights to a least 6 storeys except for the LL zoned property which is subject to the WRHA and is therefore a qualifying matter in this instance.
13. The LL zoned property within the walkable catchment for the Swanson RTN Rail Station is 7-11 Christian Road, Swanson (refer **Figure 2** below). This property is subject to Subdivision Overlay Plan 12 of the WRHA (refer **Figure 3** below) which was specifically developed for the property to acknowledge its location at the edge

of the heritage area and its proximity to the Swanson rail station. Intensification of a density greater than the underlying LL zone is enabled but is configured in a way to respect its significant role for the heritage area in this location. Lot sizes of 600m² are enabled at the northern end of the property nearest the station and increase in size to 1200m² and 2000m² moving up away from the station. The plan accounts for the steepness of this property moving away from Christian Road and includes areas of 'no build' to accommodate on site infrastructure requirements and to enable a level of landscaping to compliment and support the surrounding area. A building height of 6m is imposed on the properties of 1200m² to 2000m², subject to a consent notice being registered against the titles of the sites.

14. A subdivision consent has been approved for the property and a number of conditions have been imposed that give effect to the underlying subdivision schedule. The property is currently being developed in line with these conditions.
15. Given the signal provided through Overlay Subdivision Plan 12 to restrict height and density on this property to support its function of providing a buffer between the features of the heritage area and the Swanson village area, and to have regard to the Waitākere Ranges Heritage Area Act 2008 the recommended intensification of NPS- UD Policy 3 is considered incompatible in this location. It is recommended that the WRHA and associated bespoke provisions for this property be retained as a qualifying matter particularly as these have been considered and approved through two separate processes having regard to the WRHA Act. Furthermore, Council recommends the retention of the underlying LL zone for this property in recognition of its support of the intrinsic qualities of the property and surrounding area.

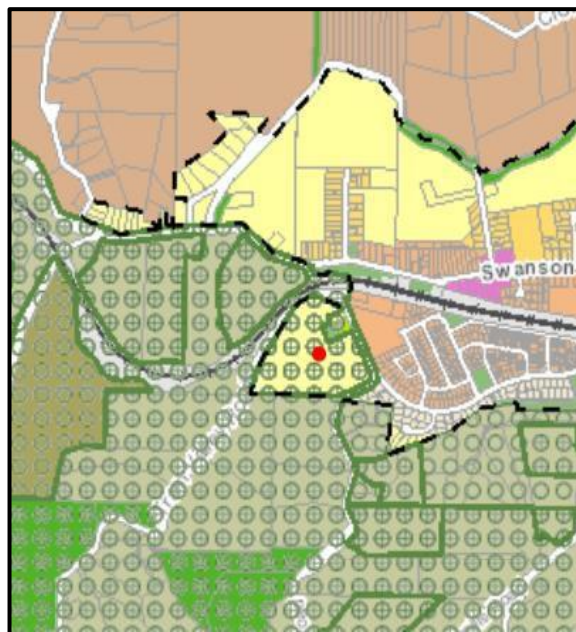


Figure 2 – 7-11 Christian Rd



Figure 3 - Overlay Subdivision Plan 12 – 7-11 Christian Rd

16. The remainder of the WRHA within the urban area is not subject to policy 3 nor Schedule 3C (as noted earlier) and therefore is not a qualifying matter. However, there are 27 properties within the heritage area currently zoned for SH – described in paragraph 24. This zone is the lower density zone of the urban area of Auckland reflects a legacy of protection afforded the heritage area through the development of the PAUP and subsequently acts to reduce the level of development and also to align the development expectations of property owners and developers more realistically with the practiced respectful nature of the area.
17. Areas with 'heritage value' are being incorporated into the zone to strengthen the role of this zone in reducing the conflict of the protection of these areas against intensification. The SH zone is being assessed as a separate topic of PC120 however these amendments are being developed in collaboration with this assessment of the WRHA. Given the location of these properties within the heritage area and the subsequent amendments to the SH zone Council recommends that this zone be retained over these properties.

18. The SH zone is currently also predominant in the suburban areas alongside (the Waitakere suburbs). These areas also contain a number of Significant Ecological areas (SEAs) that manage and protect unique and significant biodiversity of the Auckland region. These are illustrated in **Figure 4** below. SEAs are generally also supported in their role by the presence of the low density SH zone and through additional provisions in Chapter E12 Land disturbance which require a Restricted Discretionary (DA) resource consent for the removal of more than 5m² of earth in a SEA, and in Chapter E15 Vegetation management and biodiversity which require a Controlled Activity (CA) resource consent for the removal of native vegetation for the creation of a building platform and driveway within a land based SEA.

19. As with the WRHA, SEAs within walkable catchments are considered a qualifying matter, and are being assessed separately.

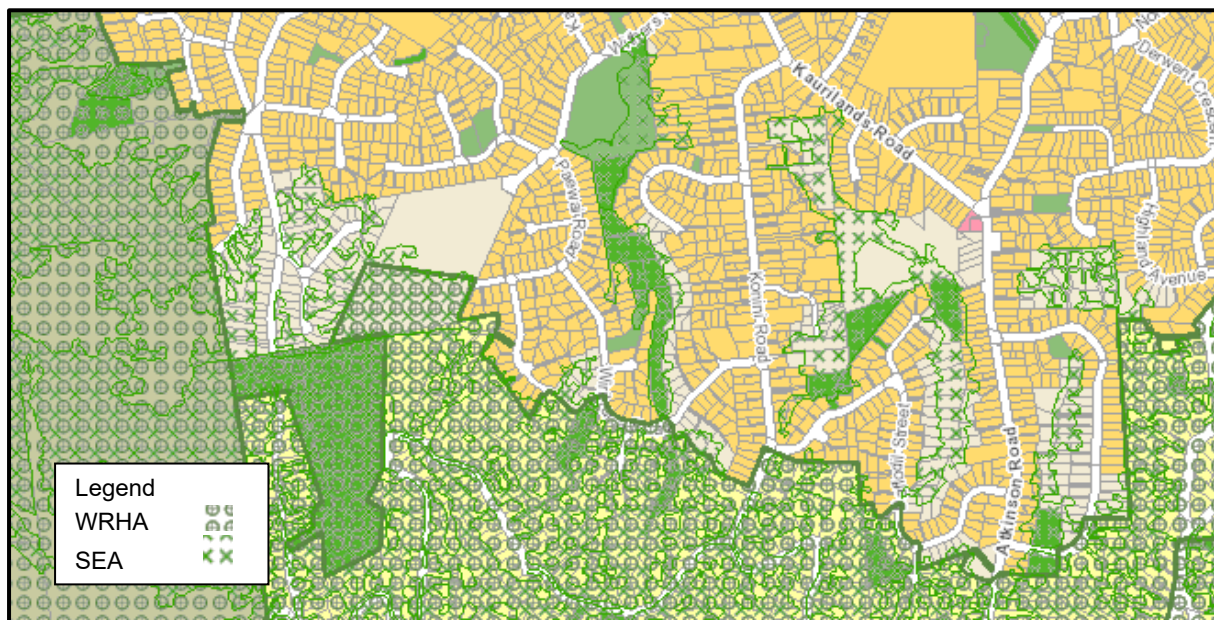


Figure 4 – SEAs present within and adjoining the WRHA

20. There are also a number of Open Space – Conservation zoned properties within the urban area of the WRHA. This zone is applied to open spaces with natural, ecological, landscape, and cultural and historic heritage values, including bush reserves that have a key role in protecting and increasing the populations of threatened and endangered species. The presence of these zones in this urban area protected by the WRHA further reflects the historical and ongoing importance of this area in regard to the unique biodiversity and in creating a buffer from the urban environment.

21. Open space zones are also a qualifying matter being assessed separately.

22. As discussed above, the heritage area is divided into scheduled areas in which subdivision (and some use and development) is regulated to ensure the specific qualities of each area are protected and/or enhanced. Proposals for development within these areas can be required to provide planting plans for Indicative

Enhancement areas; register covenants against titles to ensure such areas are protected and maintained; provide public walkways to be protected through registering a ROW easement in favour of Auckland Council; plans ensuring building platforms are outside areas of SEA's and registering covenants to ensure and protect these; and/or provide a landscape and ecological assessment identifying appropriate areas for development.

23. Subsequently, the overlay itself does not rely on or refer to the provisions for land disturbance as set out in Chapter E12 (Land disturbance – district) nor does it rely on the provisions for the management of vegetation and biodiversity as set out in Chapter E15 (Vegetation management and biodiversity). These are imposed through the underlying zones of SH and LL and through the SEAs in the area.

24. The 27 properties within the urban area of the heritage area are discussed in detail here:

- 53-73 Pine Avenue, 53 – 69 Parrs Cross Road and 1 and 3 Holdens Road, Henderson (refer **Figure 5** below). These properties are incorporated into Activity Table D12.4.2 as (A57) and (A58) and referred to as the area bounded by Holdens Road, Forest Hill Road, Pine Avenue and Parrs Cross Road. The relevant standard D12.6.4.19 requires a minimum net site size of 4000m² for this area. These sites range from 400m² to approximately 1,100m². The SH zone provides a level of protection to the edge of this area in limiting the intensification. Consideration of the Penihana North Precinct will be required given the change to zoning following the plan change, noting the new areas adjacent to the RUB within the precinct are proposed to be THAB. Given this approach and the additional responsibility of these properties of protecting the edge of the heritage area it is considered appropriate to also retain their current SH zone.

- 121-123 Parrs Cross Road, Glen Eden (refer **Figure 5** below). This property is included in Figure D12.10.01 as part of the Subdivision Plan 1 - Ōrātia (Foothills) and is in a prominent position for the WRHA being the eastern boundary of the foothills area adjacent to the RUB. The property of approximately 1.6667ha is rural in nature and located within the Oratia Foothills which is characterised by low-density settlement.² This area is viewed as a 'gateway' or edge of the Waitakere Ranges. Objective D12.2(6) of the WRHA overlay states that "*subdivision, use and development in the heritage area are subservient to the natural and rural landscape and character.*" This subservience of the built environment in the rural landscape is a recognised feature of the WRHA Act (s.7(2)(i)) and as such is required to be protected and maintained in accordance with Objective D12.2(1) of the overlay.

Objective 8(f)(iii) of the WRHA Act requires that "*any subdivision or development of itself or in respect of its cumulative effect does not contribute to urban sprawl.*"

² Pg.2 D12 WRHA Overlay, AUP.

The prominent location and the size of this property cements its role in providing protection to this area of the WRHA. It is also noted that the properties adjoining this property within the RUB and outside the heritage area are retaining their SH zone to also reflect their location alongside the edge of the urban area. It is therefore considered appropriate to retain the SH zone of 121/123 Parrs Cross Road.

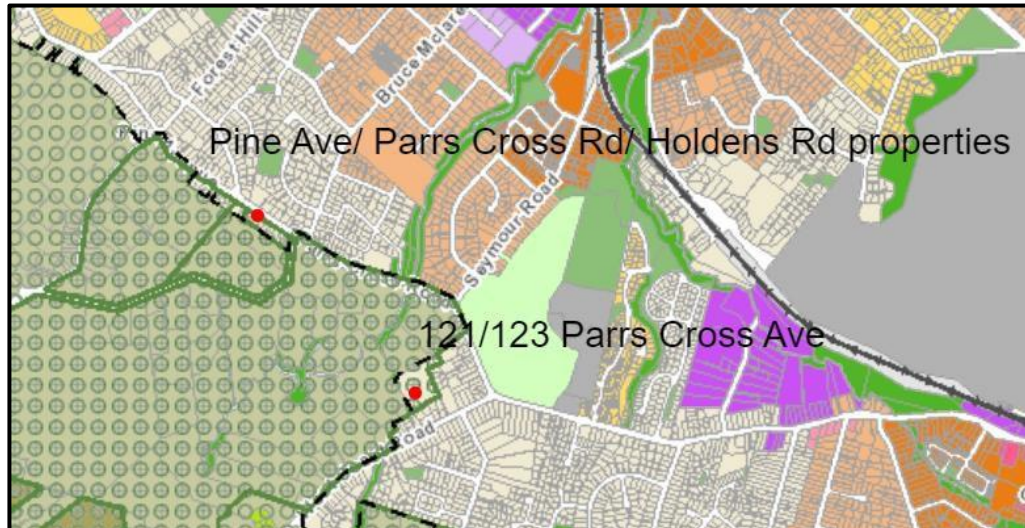


Figure 5 – Pine Ave/ Parrs Cross Rd and Holdens Rd properties

- 112 Simpson Road, Henderson Valley (refer **Figure 6** below). This property is also subject to the Ridgeline Protection overlay. There is an area of dense vegetation along the eastern side of the property. The property is not included in any specific Subdivision Scheduled area of the overlay and the SH zone is not included within the activity table. Instead, development of the property is subject to the provisions of the current SH zone and Chapter E38 – Subdivision – Urban. The area to the north and east of this property is largely subdivided and developed making the role of this property in protecting the edge significant. As with other SH zoned properties within the heritage area Council recommends retaining the SH zone for this property.



Figure 6 – 112 Simpson Road.

- 73 Withers Road, Glen Eden is a large property (approx. 8.1ha) which is partially captured by the WRHA overlay (refer **Figure 7** below) and which is also subject to SEA_T_2018 which extends westward over adjoining residential properties and into the heritage area. This site is occupied by Konini School. The school buildings and recreation areas occupy the portion of the property which is not subject to the heritage area and is largely cleared of the dense vegetation. The property is included in Subdivision Scheduled Area D12.1.1.5 Titirangi – Laingholm (North, South and West) shown on Figure D12.10.16. which specifically avoids, where practicable, the need for clearance of the native vegetation. The underlying SH zone provides a level of protection and a buffer for the vegetation on site. Despite the heritage area covering approximately half of the property the recommendation to retain the SH zone includes the property as a whole.

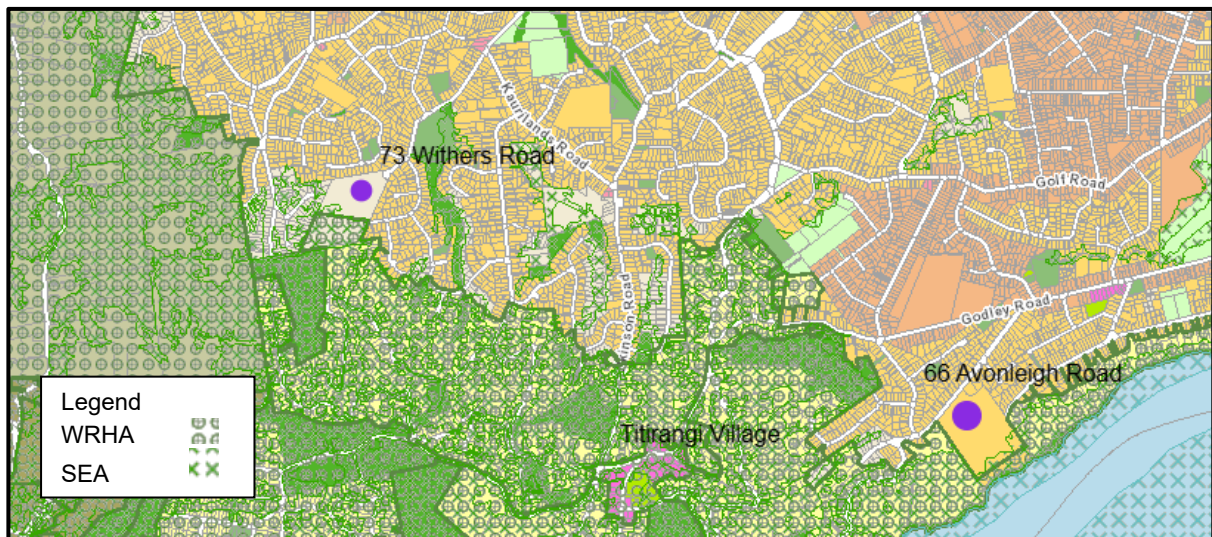


Figure 7 – urban properties within WRHA

25. In addition to those properties zoned for SH, there are also three properties zoned MHS at the edge of the heritage area. The largest of these is 66 Avonleigh Road, Green Bay (refer **Figure 7** above). This property is currently occupied by a retirement village. The overlay partially encroaches the property along the coastal boundary which is also subject to a SEA_T_5539. This property is included in Figure D12.10.17 as part of the Titirangi- Laingholm (South) subdivision Plan and is clearly indicated on Map 1 of Schedule 1 of the WRHA Act. It is noted that the property is also subject to coastal erosion in the southern portion including over the WRHA overlay. Properties in the vicinity are proposed to be rezoned MHU. Given the current development of the property and the presence of more than one qualifying matter it is considered inappropriate to rezone this property for more intensive development.
26. 293A Titirangi Road, Titirangi and 17A Autumn Avenue (not shown). The overlay partially encroaches both sites and appears to be an anomaly. The property at Titirangi Road is largely developed and not subject to any other qualifying matter. It is also included in Figure D12.10.17 as part of the Titirangi- Laingholm (South)

subdivision Plan. The property at Autumn Avenue is largely vegetated with the single house located at the other end. Given the scale of Map 1 in Schedule 1 of the WRHA Act it is unclear if either of these properties are intended to be included in the heritage area. Council recommend that these properties retain their MHS particularly as they appear to be within the heritage area and therefore it is undesirable to introduce further encroachment by intensification.

27. It is acknowledged that Titirangi Village also does not meet policy 3 of the NPS-UD criteria as a walkable catchment. Subsequently it will retain the intensification afforded by its current Business – Local Centre Zone.

28. It is significant to note that the heritage area also holds a distinctive cultural domain for Maori and lies within the rohe of both Te Kawerau A Maki and Ngati Whatua³. This relationship is specifically acknowledged as a heritage feature that contributes to the national significance of the area:

(j) the historical, traditional, and cultural relationships of people, communities, and tangata whenua with the area and their exercise of kaitiakitanga and stewardship:

29. There are no sites of significance within the urban area of the WRHA that is subject to PC120. However, in the past, mana whenua have been included in the discussion regarding the recommended approach for the WRHA overlay and the specific properties. They generally support the recommendations of this report (expanded on below) but express concerns for the edge of the overlay, seeking a buffer approach along the entire length to protect the heritage feature from incremental encroachment.

30. The SH zone is also currently predominant in the adjoining urban area outside the heritage area, mixed with some smaller areas of MHS (refer **Figure 8** below). These zones reflect the local legacy of protection for the forest and coastal area of the Waitākere Ranges area both inside and outside the overlay area. These zones also act as a buffer or transition area between the WRHA and the Auckland urban environment and within the overlay between the urban and rural properties.

³ Waitākere Ranges Heritage Area Act 2008. Pg.3.

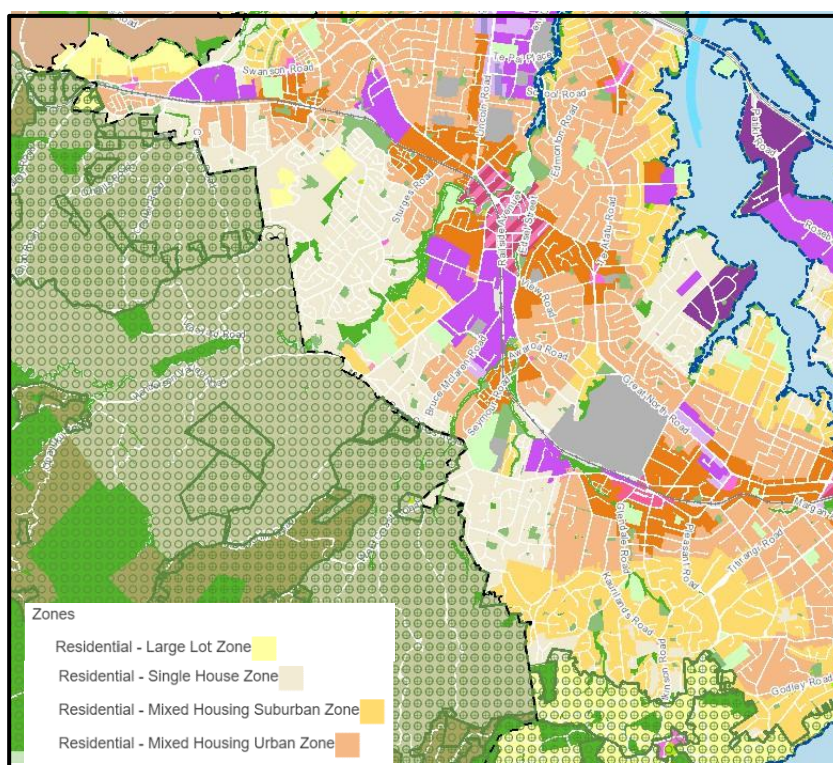


Figure 8 – Urban residential zones adjoining the WRHA

31. As an estimate the boundary along the length of the overlay between the urban area of Auckland and the heritage area is approximately 24 kilometres long. PC120 proposes approximately 12 kilometres of SH zone along the boundary of the heritage area. Some of this represents a retention of the current SH zone and some represents a down zone from the current AUP zone. This SH zone reflects the presence of other qualifying matters over the properties or is a directed response to the cohesive zoning approach that has been undertaken with PC120 to ensure that Councils response to intensification can provide at least as much development capacity as that proposed through PC78. This is explained later.
32. Another approximately 4.7 kilometres will be rezoned MHS and approximately 677 meters will be rezoned the most intensive urban residential zone of Terrace Housing and Apartment Buildings (THAB) within the walkable catchment of the Swanson Rail Station and approximately 136m within the walkable catchment of the Sunnyvale Rail Station.
33. As discussed earlier the walkable catchments of RTN Rail Stations are subject to policy 3 of the NPS-UD which requires at least six levels of development for all residential zones within these areas. The walkable catchment for the Swanson Rail Station is currently zoned predominantly MHU with areas of SH and LL along the boundary with the WRHA. This is proposed to be rezoned to THAB. This area is also subject to the Penihana North Precinct.
34. The area of walkable catchment for the Sunnyvale Rail Station is currently zoned predominantly MHU and THAB to reflect its more urban location. Within this walkable

catchment, the current MHU zone that extends to the eastern edge of Parr Cross Road and the edge of the WRHA area is proposed to be replaced with THAB.

35. The MHS and MHU zones are the medium to intensive residential zones of the AUP. They enable two to three dwellings per site of 2-3 storeys. These zones enable greater building and impermeable surface coverage than that of the SH zone which is currently predominantly spread through the suburban area outside the heritage area.
36. The properties proposed to be rezoned MHS and MHU within the adjoining suburban areas are not subject to policy 3 of NPS-UD as they are not within a walkable catchment. They are proposed to be upzoned to ensure as part of the cohesive zoning approach that proposes zoning responses in the areas outside the walkable catchments that will ensure sufficient development capacity is enabled through PC120. According to the zoning principles the spread of these zones is influenced by how much capacity can be enabled in the adjoining walkable catchments of centres or RTNs. As discussed earlier, the properties immediately adjoining the WRHA are proposed to be zoned SH zone in response to their location at the edge of both the heritage area and the rural urban boundary.
37. It is noted that the subdivision pattern for more than half the properties proposed to be rezoned MHS within the adjoining suburban area against the WRHA boundary is for small lots (average size of 550m²) that accommodate large single homes. Coupled with the established historic subdivision patterns of larger lots and large homes surrounded by trees it is generally felt that there will not be a huge uptake for the proposed intensification offered nearer to the heritage boundary.
38. There is also approximately 11.5 kilometres of the edge where a buffer of sorts is provided either by the location of roads along the edge of the overlay (both inside and out) which coincide with some of the intensification proposed above and also against the SH zoned properties or by the location of areas of open space zone either within the overlay or within the RUB.
39. Given the above, it is felt that although the PC120 proposes some intensification up against the boundary of the heritage area there are some buffer type features that will assist to reduce the effects of this.

4. AUP approach to managing qualifying matter

40. The AUP manages the WRHA through the RPS (Chapters B2 Urban Growth and Form, B4 – Natural Heritage), the Auckland wide provisions (E38 Subdivision – urban), the overlay provisions (D12 – WRHA overlay), Schedule 16 – WRHA Schedule and the AUP maps.
41. This approach in the AUP was extensively addressed through the Proposed AUP hearings process 2014 – 2016.

4.1 Objectives and Policies (existing)

42. The relevant AUP objectives and policies, that support the WRHA as a qualifying matter are as shown below in the table:

Table 1

AUP Chapter	Objective / Policy	Summary of matter addressed
B2.2 Urban Growth and Form	Policy B2.2.2(2) Ensure the location or any relocation of the Rural Urban Boundary identifies land suitable for urbanisation in locations that: while (h) protecting the Waitākere Ranges Heritage Area and its heritage features;	The WRHA is predominantly located outside of the RUB ensuring urbanisation is limited. The few urban properties within the RUB are the residential low density zones which enable single house development of 1-2 storeys thus further protecting the edge from intensification.
B2.4 Residential growth	Objective - B2.4.1(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area. Policies - B2.4.2(4) Provide for lower residential intensity in areas: (c) 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; B2.4.2 (5) Avoid intensification in areas: (a) 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 or special character;	The WRHA is protected by the WRHA Act 2008 and is therefore scheduled within the AUP. It is a nationally significant area that is also recognised at the regional and local level. Subdivision Schedules have been developed to ensure development is in keeping with the Act and the surrounding environment.
B4.4 Waitākere Ranges Heritage Area	Objectives - B4.4.1 (1) The natural and historic resources, including the significant environmental values and heritage features of the Waitākere Ranges, are protected, restored and enhanced for the benefit, use and enjoyment of the community. B4.4.1(3) Development in settlements recognises and is sympathetic to the qualities, character and natural features of the Waitākere Ranges and the complex mixed landscapes of the foothills.	The WRHA is specifically recognised as a regionally significant issue of the Auckland Region – reflecting its national significance. Development is sympathetic to the natural environment to enable enhancement and restoration. The natural and historic resources are protected in perpetuity for present and future generations.

AUP Chapter	Objective / Policy	Summary of matter addressed
	B4.4.1(9) The natural and historic resources of the Waitākere Ranges Regional Park are protected in perpetuity for their intrinsic worth and for the benefit, use, and enjoyment of the people and communities of Auckland and New Zealand. Policy - B4.4.2(1) Design and locate structures and impermeable surfaces and undertake activities in a way that does not impede or adversely affect the potential for the regeneration of native vegetation or reduce the extent and range of areas of native vegetation and linkages between them.	
D12 Waitākere Ranges Heritage overlay	Objectives - D12.2 (1) The heritage area and its features described in section 7 of the Waitākere Ranges Heritage Area Act 2008 are protected, restored and enhanced. (3) The limited capacity of the heritage area to provide for growth is recognised. (4) Subdivision in the heritage area is of an appropriate scale and intensity and complements the character and landscape of the heritage area. (5) The quality and diversity of landscapes in the heritage area identified as having local, regional or national significance are maintained. Subdivision, use and development in the heritage area is subservient to the natural and rural landscape and character. Policies - D12.3 (1) Limit subdivision and development within the heritage area to protect its heritage features. (2) Manage the scale, design, and location of subdivision so that it is consistent with section 8 of the Waitākere Ranges Heritage Area Act 2008. (3) Protect the different natural landforms and landscape within the heritage area. (4) Protect the distinctive natural and rural character of the heritage area. (5) Protect the quietness and darkness of the Waitākere Ranges and the	The overlay has been adopted as the method to ensure the protection, restoration and enhancement of this nationally, regionally and locally significant heritage area. The overlay provides the spatial identification of this area aligned with that of the WRHA Act and ensures its visibility in the AUP. The associated objectives and policies specifically limit subdivision to enable the protection and restoration of the area. The schedule of same name provides greater recognition of the specific characteristics of each area to be protected, restored or enhanced. The area the subject to policy 3 of the NPS-UD is specifically managed through a subdivision schedule which limits both height and density to reflect the location of this property against the Swanson Railway Station but also importantly at the edge of the heritage area.

AUP Chapter	Objective / Policy	Summary of matter addressed
	coastal part of the area. (9) Manage built development so that it is integrated and is subservient to the natural and rural landscape and the heritage features of the area. Adopt a precautionary approach when assessing subdivision, use and development that could threaten serious or irreversible damage to a heritage	
D12 Waitākere Ranges Heritage overlay	Waitākere Foothills Objectives - D12.2(11) The Waitākere Foothills provide a rural buffer between urban Auckland and the forested landscape of the Waitākere Ranges and the coasts Policy - D12.3(11) Maintain a clear contrast between the urban parts of the city and the Waitākere Ranges foothills through the design and location of subdivision, use and development which maintains and enhances rural character and amenity values.	This area of the WRHA contains properties zoned for SH. Their retention in this zone is sought to protect the edges of the WRHA against urban expansion.
D12 Waitākere Ranges Heritage overlay	Swanson South Foothills Objectives - D12.2(14) Swanson South's rural character, with low-density settlement and few urban-scale activities, is protected. D12.2 (15) The ecological and landscape values of the area are protected from inappropriate subdivision and development. D12.2(16) The effects of subdivision and associated development are managed to retain a buffer between the bush-clad and urban parts of the city. Policy - D12.3 (16) Provide for limited subdivision and development that: (a) protects and enhances streams, watercourses, and wetlands; (b) avoids where possible the need to clear native vegetation and restores areas of vegetation or re-vegetates areas of land along watercourses; (c) avoids, remedies or mitigates adverse effects on rural character and amenity values; (d) retains or links native vegetation and fauna habitat areas; and	These objectives and policy specifically relate to the property located within the walkable catchment of the Swanson Rail Station. Zoned for Residential – LL these obs and pols seek to celebrate its location and role at the edge of the WRHA and acknowledge its proximity to the rail station. Limited subdivision is provided for through a specific subdivision schedule. The land above has both height and density restrictions which are recommended to be retained through PC120.

AUP Chapter	Objective / Policy	Summary of matter addressed
	(e) avoids where possible development on natural landscape elements and heritage features.	
D12 Waitākere Ranges Heritage overlay	Titirangi – Laingholm (North, South and West) Objectives - D12.2(19) The unique settlement pattern and landscape qualities of the residential areas of Titirangi – Laingholm are maintained and enhanced. D12.2(20) The forested character and natural qualities of the surrounding landscape which includes a low-density residential setting, prominent ridgelines, coastal areas and native vegetation and fauna habitats are maintained and enhanced Policy D12.3(17) Provide for limited subdivision and development that: (a) avoids where practicable, or otherwise minimises the need for clearance of native vegetation and maintains the dominance of the natural environment; (b) includes planting of native vegetation to improve the natural environment; (c) protects native vegetation through legal protection mechanisms and fences....	This objective and policies relates to a property along the urban edge of the WRHA that is proposed to be retained as SH – 73 Withers Road. The property is currently occupied by a school. Policies seek to limit subdivision and vegetation clearance of this forested area of the WRHA.
E38.1 Subdivision – Urban	Objectives - E38.2 (1) Land is subdivided to achieve the objectives of the residential zones, business zones, open space zones, special purpose zones, coastal zones, relevant overlays and Auckland-wide provisions (7) Subdivision manages adverse effects on historic heritage or Maori cultural heritage. (8) Subdivision maintains or enhances the natural features and landscapes that contribute to the character and amenity values of the areas. Policies - E38.3 (1) Provide for subdivision which supports the policies of the Plan for residential zones, business zones, open space zones, special purpose zones, coastal zones, relevant overlays and Auckland-wide	Chapter E38 relates to the SH zoned properties within the WRHA which are recommended for retention as such. The obs and pols provide for subdivision that supports the protection or enhancement of scheduled features. The provisions of Chapter E38 work with the subdivision Schedules of D12 to ensure the protection and preservation of the area. As stated above the area within the walkable catchment of the Swanson Railway Station is subject to its own subdivision schedule.

AUP Chapter	Objective / Policy	Summary of matter addressed
	provisions. (4) Require subdivision to be designed to retain, protect or enhance scheduled features including those in the Historic Heritage Overlay and Sites and Places of Significance to Mana Whenua Overlay.	
H1 – Residential - Large Lot zone	Objectives - H1.2(1) Development maintains and is in keeping with the area's spacious landscape character, landscape qualities and natural features (3) Development is appropriate for the physical and environmental attributes of the site and any infrastructure constraints. Policies - H1.3 (1) Require large minimum site sizes and limit the scale and intensity of development to ensure that: (b) development will be in keeping with any landscape qualities or natural features; and (2) Require development to be of a height and bulk and have sufficient setbacks and open space to maintain and be in keeping with the spacious landscape character of the area.	As stated above, the property within the walkable catchment for the Swanson Rail Station is currently zoned LL – which provides for development that is in keeping with the landscape qualities and natural features of the area. The LL is recommended for retention despite the property being within the walkable catchment.
H3 Residential – Single House zone	Objectives H3.1 (1) Development maintains and is in keeping with the amenity values of established residential neighbourhoods including those based on special character informed by the past, spacious sites with some large trees, a coastal setting or other factors such as established neighbourhood character. Policies H3.2 (1) Require an intensity of development that is compatible with either the existing suburban built character where this is to be maintained or the planned suburban built character of predominantly one to two storey dwellings.	This zone relates to approximately 27 properties currently zoned SH within the WRHA. Despite these properties not being a QM their SH zone is sought to support the natural qualities of the areas through low density development that supports the amenity values of the established area. In this area the established values sought relative harmony with the natural environment, clearing enough to enable a house and access. The native vegetation has been encouraged and nurtured in this location at the edge of the urban environment.

43. The heritage area is acknowledged and accommodated at the RPS level of the AUP as a significant regional issue to be protected in perpetuity for its intrinsic worth and for the benefit, use, and enjoyment of the people and communities of Auckland and New Zealand.

44. D12 – Waitākere Ranges Heritage Area overlay is the method that has been adopted

to ensure the visibility of this heritage area and through its provisions provide for its protection and preservation. This overlay is defined as a qualifying matter for the large property (known as 7-11 Christian Road) zoned Residential- Large Lot zone within the walkable catchment area of the Swanson Railway Station in the northern part of the heritage area.

45. The objectives and policies of this overlay additionally prescribe subdivision schedules that specifically reflect and enhance the various areas within the overlay. The WRHA is predominantly located within the rural area and Chapter E39 Subdivision – Rural specifically supports the subdivision objectives of this area. Chapter E38 Subdivision – Urban does not make specific reference to the overlay except to include it generally in objectives E38.2.(1), (7) and (8) above with reference to the objectives of the relevant overlays, managing effects on historic heritage or maintaining and enhancing natural features and landscapes.
46. Objectives 14, 15 and 16 are relevant to the Swanson South Foothills subdivision schedule which includes the LL zoned property within the walkable catchment of the Swanson Railway Station. These provide for the low density development of this area against the railway station. Policy 16 provides for limited subdivision and development to enhance the natural environment.
47. With regard to the remainder of the urban area within the heritage area the current low-density zoning of LL and SH of the residential properties reflect and support the objectives and policies of protection, enhancement and preservation. Their objectives and policies support development that maintains and is in keeping with the amenity and character of the surrounding environment – from the rural single house expanse of the large properties of the LL zone to the smaller single house sites and more established low density development of the SH zone. These zones are considered to be compatible and therefore appropriate to the objectives and policies of the heritage area.

4.2 Rules and methods (existing)

48. As explained above the overlay is the primary method of the AUP for identification and management of the heritage area. For the area subject to policy 3 of the NPS-UD and therefore identified as a qualifying matter, the provisions of the LL zone are also applicable.
49. Provisions of the overlay manage land use and subdivision. In general a resource consent is required for any more than one dwelling, including the conversion of one dwelling into two. In addition, there are also specific provisions applicable to the scheduled subdivision areas. In accordance with the Activity Table D12.4.2(A66) subdivision in accordance with Figure D12.10.19 Overlay Subdivision Plan 12 and complying with standard D12.6.4.23 is subject to a discretionary activity resource consent. D12.4.2(67) states that subdivision not in accordance with Figure D12.10.19 Overlay Subdivision Plan 12 or not complying with the standard is subject to a non-complying resource consent. Standard D12.6.4.23 limits site sizes and building heights, requiring the latter to be placed on the property file via a consent order.

50. Subdivision of this property is also subject to Figure D12.10.19 Overlay Subdivision Plan 12 – 7- 11 Christian Road, Henderson Valley (Figure 3 of this report). This prescribes the road layout, areas of planting and a ‘no build’ area which is required to be registered against the title.
51. Provisions of the underlying LL zone also require a resource consent for any more than one dwelling per site.
52. Chapter E38 Subdivision – Urban does not make specific reference to the overlay except to include it generally in objectives E38.2.(1), (7) and (8) above with reference to the objectives of the relevant overlays, managing effects on historic heritage or maintaining and enhancing natural features and landscapes.
53. As discussed in the Issues section of this report, given the signal provided through Overlay Subdivision Plan 12 to restrict height and density on this property to support its function of providing a buffer between the features of the heritage area and the Swanson village area, and to have regard to the Waitākere Ranges Heritage Area Act 2008 the recommended intensification of NPS- UD Policy 3 is considered incompatible. Council recommends that the WRHA overlay and bespoke provisions be retained as a qualifying matter over this property particularly as these have been considered and approved through two separate processes having regard to the WRHA Act. Additionally, Council recommends that the underlying LL zone and associated provisions also be retained for this property.
54. The provisions of the overlay elsewhere in the urban area are also complimented by the provisions of the other underlying residential zone of SH. Although this does provide for additional ‘minor’ dwellings and/or conversions of a single dwelling into two, it is a low density residential zone intended to respect the amenity and character of the surrounding established location. Dwellings are 1-2 storey and building coverage and impermeable surface coverage are limited.
55. As also discussed above, the 27 SH zoned properties within the heritage area are not subject to policy 3 of the NPS-UD and therefore are not a qualifying matter. However, Council considers it necessary to require the zone of these properties be retained in recognition of their location and consequential support that they provide to this nationally, regionally and locally significant heritage area.

5. Development of Options

56. Section 32 of the RMA requires an examination of the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA. The overall objective (purpose of the proposal) of Plan Change 120 has two key objectives – it proposes:
- measures to better manage significant risks from natural hazards region-wide; and

- an amended approach to managing housing growth as a result of no longer incorporating the medium density residential standards (MDRS), but providing for intensification in a way that complies with clause 4 of Schedule 3C of the RMA by:
 - providing at least the same amount of housing capacity as would have been enabled if Plan Change 78: Intensification (PC78), as notified, was made operative, including by providing for additional intensification along selected Frequent Transit corridors and modifying zoning in suburban areas through an amended pattern of Residential - Mixed Housing Urban and Mixed Housing Suburban zones;
 - enabling the building heights and densities specified in clause 4(1)(b) and (c) of Schedule 3C of the RMA within at least the walkable catchments of Maungawhau (Mount Eden), Kingsland, Morningside, Baldwin Avenue and Mount Albert Stations;
 - giving effect to Policy 3 (c) and (d) of the National Policy Statement on Urban Development 2020 (NPS-UD) through intensification in other walkable catchments and land within and adjacent to neighbourhood, town and local centres;
 - enabling less development than that required by clause 4(1)(b) and (c) of Schedule 3C or Policy 3 of the NPS-UD where authorised to do so by clause 8 of schedule 3C.

Section 32 requires a range of options to be considered.

55. There are two reasonable practicable options for achieving the objectives, having considered the requirements of policy 3 of the NPS-UD:

- **Option 1:** retain the WRHA overlay and associated bespoke provisions as a qualifying matter over the property at 7-11 Christian Road, Henderson, and additionally retain the underlying Residential – Large Lot zone for the property
- **Option 2:** Remove the provisions of D12 overlay and of the underlying Residential – Large Lot zone for the property at 7-11 Christian Road, Henderson and enable development in accordance with the walkable catchment of the Swanson RTN Railway Station.

5.1 Consequences for development capacity

56. The consequences for the provision of development capacity by accommodating the Waitākere Ranges Heritage Area qualifying matter, including the underlying LL zone are minor given that this relates to a single [original] property within the walkable catchment of the Swanson RTN Railway Station. As discussed above, the development of this property is currently underway having been considered and approved through two separate processes having regard to the WRHA Act. The development controls restrict height and density to reflect the location of this property at the edge of the heritage area while enabling more intensification than the underlying LL zone to support the Swanson Rail station.

57. Additionally, the retention of the SH zone for the few properties within the heritage area also do not present as a significant issue for development capacity for the Auckland region. The function of these few properties in providing for low density residential development to support the protection and preservation of this feature outweighs the need to intensify them further.

5.2 Evaluation of options

58. To determine the most appropriate response for the WRHA as a qualifying matter, each of the options needs to be evaluated in the context of the objectives and of clause 4(1)(b) or (c) of Schedule 3C of the RMA and policy 3 of the NPS-UD.

Table 2 - Evaluation of options

Qualifying matter	Option 1 – apply the qualifying matter	Option–2 – do not apply the qualifying matter
Costs of applying QM – housing supply / capacity	The costs to housing capacity are considered low for this small area of the WRHA within the walkable catchment. Recent investment in the recently approved consent to develop at a greater capacity than the underlying zone would present as a barrier to the uptake of greater capacity as the demolition of newly built dwellings would need to be considered.	Removing the qualifying matter would enable the realisation of the anticipated ‘at least six storeys’ development of this property. However as explained in column one, the recent investment in the development of this property would give cause for hesitation to reinvest in redevelopment.
Costs: Social	Intensification to the scale anticipated by the NPS-UD (at least six storeys within a walkable catchment) is not compatible with the nature and character of the surrounding area – character that has been defended through legacy plans. Applying the qualifying matter to continue to protect this would have very little social cost for those who live in and enjoy this area.	There would be significant social costs associated with removing the protection to this property afforded by the qualifying matter. The location of the property on the edge of both the WRHA and the RUB affords it some reduced demand for intensification – an accepted stance for people who live in the vicinity. The current approved development for the property provides for intensification of the underlying zone to reflect the location in proximity to the railway station while maintaining the protection and preservation of the edge of the heritage area. Intensification anticipated by the NPS-UD in this location would come at great social costs for those who enjoy the ambience and character of this rural yet conveniently connected location.
Costs: Economic (not otherwise covered by housing capacity issues)	Economic costs are hard to quantify but would no doubt be low. This development of property has been subject to two separate consent processes to enable development	As explained in the first column, given the recent and ongoing investment in the property in accordance with the recently acquired approvals, uptake

Qualifying matter	Option 1 – apply the qualifying matter	Option–2 – do not apply the qualifying matter
	that both protects the heritage location and enables appropriate intensity to support the nearby rail station destination. This development is recent and is currently underway. While the proposed intensification under the NPS-UD would provide for greater intensification the uptake would be limited given consideration of these consents and recent and ongoing investment in accordance with the approved development.	
Costs: Environmental	Low to no environmental costs of applying the qualifying matter as it provides additional support to the bespoke provisions of the overlay and supporting provisions of the underlying zone – to protect and preserve the heritage area.	There would be significant environmental costs associated with developing this property in accordance with the anticipated intensification of the NPS-UD in comparison to the bespoke provisions of the D12 overlay and supporting provisions of the underlying zone.
Benefits of applying the QM - social	As discussed above, the application of the qualifying matter to acknowledge the provisions of D12 and the supporting provisions of the underlying LL zone ensures a level of development that is desirable to local residents who enjoy the proximity to the railway station while supporting the protection and preservation of the heritage area.	As discussed above enabling the development of this area to realise the anticipated capacity under NPS-UD would not yield significant social benefits as the location predicts the lifestyle choice of the local residents, to live in 1-2 storey homes surrounded by a bush, semi-rural setting. It is unlikely that they would choose to live in terraced housing and apartment buildings at least six storeys high.
Benefits - economic	Economic benefits can be realised in securing the recent investment in the recently created properties in this location, not presenting an option to demolish and reinvest. Which would be more costly.	By not applying the qualifying matter there may be some economic benefit realised by those properties that may be still developing or have yet to be developed. However, these would also require greater investment in infrastructure etc to support this intensification.
Benefits – environmental	The property is a nationally, regionally and locally significant heritage area. The application of the qualifying matter to acknowledge the role of the overlay in protecting and preserving this location can only result in environmental benefits.	There would be few, if any, environmental benefits to realising the level of development afforded by the NPS-UD in this location. It is the edge of a nationally, regionally and locally significant heritage area that is protected by an Act of the same name. The protection and preservation of this location is paramount and the base for the bespoke subdivision schedule that sits over it. This schedule includes the incorporation of planted areas

Qualifying matter	Option 1 – apply the qualifying matter	Option–2 – do not apply the qualifying matter
		and ‘no build’ areas to emphasise the importance of managing the built environment. While it is feasible that proposed development could also include such areas the desire to maximise the development potential of the recently subdivided lots will reduce their ability to protect and enhance the environment.

Analysis

59. The following comments can be made in relation to the options discussed in the table above:

- a) There are more benefits and less cost in applying the qualifying matter for the property within the walkable catchment of the Swanson RTN Railway Station
- b) While there is a loss of development capacity due to the application of the qualifying matter, due to the bespoke subdivision provisions of the property in acknowledgement of its vicinity to the Swanson railway station, it is being developed at a greater intensity than that of the underlying LL zone.

Risks or acting or not acting

60. 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. There is sufficient information about this qualifying matter for the plan change to proceed.

61. The information about the Waitākere Ranges Heritage Area Overlay as a qualifying matter, including information about the specific values and characteristics, location and extent of the overlay is already set out 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.

Effectiveness and efficiency

62. Option 2 is considered the most efficient and effective method for achieving the objectives of PC120 as while the enabled development does not meet the density and heights that would be enabled through the proposed THAB zone, it does provide a level of intensification that is on balance a better fit for the site taking into account its prime location beside the Swanson RTN Rail Station but also in respecting its location as part of a significant heritage area which is not only a taonga for Auckland people but is also recognised at the national level through its own legislation.

63. As discussed above, given the previous consent processes that this site has recently been through and the subsequent development that is currently being undertaken in accordance with covenants attached to the newly created sites, it is considered unlikely that a redevelopment that would also be required to undertake a legal consenting path, would be readily taken up.

5.3 Description of how the qualifying matter is to be implemented

64. The qualifying matter will be implemented through the continued application of the Waitākere Ranges Heritage Area overlay for the property within the walkable catchment of the Swanson RTN Railway Station.

65. The qualifying matter will continue to be shown on the AUP maps as it is shown currently as the Waitākere Ranges Heritage Area - as green circles covering the relevant area.

5.4 Overall conclusion

66. The Waitākere Ranges Heritage Area overlay D12 is recommended to be a qualifying matter for the property located within the walkable catchment of the Swanson RTN Railway Station. The heritage area is a matter of national importance that decision makers must consider under section 6 of the RMA. It is provided further protection and consideration through the WRHA Act 2008. As a qualifying matter it will continue to protect and preserve the property through the application of the provisions of the bespoke subdivision schedule Figure 12.10.19 Overlay Subdivision Plan 12 and Standard D12.6.4.23. Also the retention of the underlying LL zone provides additional support to the WRHA through maintaining low density development to protect this edge location.

67. Due to the limited application of the overlay as a qualifying matter in the urban environment and its limited constraint on densities, it is concluded that its overall impact is minor.

68. The application of the overlay as a qualifying matter over this property does not require any alteration to the provisions of the overlay or the underlying zone. No other provisions of the AUP are required to be amended.

Information used in the preparation of this report

Name of document, report, plan	How did it inform the development of the plan change
Waitākere Ranges Heritage Area Act 2008	D12 Overlay gives effect to the Act
Auckland Unitary Plan (Operative in Part) 2016 – D12 Waitākere Ranges Heritage Area and Schedule 16 – of same name	Establish the importance of the heritage area to be protected and preserved in accordance with the WRHA Act and a matter of National Importance.
AUP IHP Hearings evidence	Provided background detail to the development of D12 and Schedule 16 in the AUP

Consultation summary

Limited consultation on PC 120 has been undertaken, and this is detailed in the Auckland Council September 2025 reports entitled:

- CONSULTATION AND ENGAGEMENT ON A PROPOSED PLAN CHANGE POTENTIALLY REPLACING PROPOSED PLAN CHANGE 78 – INTENSIFICATION SUMMARY REPORT

- MĀORI ENGAGEMENT CONSULTATION SUMMARY REPORT