



Guidelines for interim use of storm affected land



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Introduction

In response to Auckland's January and February 2023 severe weather events, Auckland Council and the Crown are helping homeowners relocate from properties that present an intolerable risk to life due to flooding and landslides. A storm recovery programme, co-funded with the Crown, offered voluntary buy-outs to owners of 'Category 3' residential properties. As a result of this programme, the council is acquiring hundreds of residential properties that have been assessed and identified as having known flood and landslide hazards. By 2026, the council expects to acquire over a thousand residential properties where dwellings were considered to pose intolerable risk to life for residential use.

Most dwellings and associated buildings on Category 3 land will be removed, the land cleared, and the site made safe. The land will be held as non-service land in a dedicated asset class until decisions are made about the most appropriate permanent future use of the acquired land. Options for permanent use include:

- a) the property is sold
 - a. for redevelopment in a way that mitigates risks
 - b. for a non-redevelopment use such as private green space
- b) the property is retained by Auckland Council
 - a. to meet an identified service need
 - b. for flood resilience purposes
 - c. as high hazard land
 - d. as residual land, where none of the above apply.

The sheer volume of properties acquired, and the complexity of some of these properties, means that it will be some years before decision-making for all properties is complete.

In the interim period before decisions about permanent future uses of the land have been made, storm affected land acquired by Auckland Council must be managed responsibly, efficiently, and effectively, as outlined in the [Storm Affected Land Use Policy](#), approved by Auckland Council's Policy and Planning Committee in April 2025.

These guidelines supplement the Storm Affected Land Use Policy to outline the temporary uses that will be permitted on storm affected land, and how Auckland Council's Recovery Office will manage requests for community use. These guidelines will be revised as our understanding evolves and new insights emerge.

What is interim use?

Interim use refers to the temporary or interim utilisation of land that may otherwise remain unused or vacant due to factors like redevelopment, recovery after disasters, or economic shifts. Interim use may provide functional and/or creative ways to engage with vacant spaces until a more permanent development plan is in place. Interim use may take place over any period from one weekend to ten years, and may include activities such as:

- an outdoor gallery
- film production

- grazing for animals
- temporary play equipment
- staging and storage for adjacent construction projects.

The interim use approach has been successfully employed many times by Eke Panuku as part of their standard practice. This approach involves temporarily repurposing vacant or underutilised properties to address immediate issues such as anti-social behaviour and to activate spaces in the interim.

Interim uses may also seek to foreshadow or test future plans or uses for the land, preferably in ways that involve the community. This is a form of community engagement and can enable future plans to become familiar and relevant to communities over time. In the context of Christchurch following the 2011 earthquake, interim land use became a significant urban recovery strategy. The earthquake caused extensive damage, leading to the demolition of many buildings, especially in the central city, leaving vast swathes of land vacant. The local community, artists, and urban planners responded with creative and functional uses of these empty spaces, bringing life back into the city while long-term rebuilding plans were developed.

Benefits of interim land use

Interim land use provides numerous benefits, including fostering community participation, stimulating the local economy, enhancing urban resilience, and creating spaces that promote social interaction and wellbeing during periods of change or redevelopment.

- **Community participation:** interim use may enable residents to actively participate in their community's recovery, fostering a sense of ownership, purpose, and pride.
- **Economic stimulation:** pop-up businesses and events can help to stimulate the local economy, attracting visitors and maintaining commercial activity.
- **Improved mental wellbeing:** green spaces, public art, and community-driven projects can offer emotional healing and a sense of hope amid the disruption, recognising what has been lost as well as new possibilities.
- **Reduced negative impacts:** empty lots attract illegal dumping, squatting, vandalism, pests, and anti-social behaviour. Such activities are expensive to rectify and difficult to reverse. Communities taking ownership of these spaces reduces these unpleasant negative impacts and related maintenance costs.
- **Urban experimentation:** interim uses provide opportunities for creative urban design and innovation, which can have a positive impact on future permanent development. This may reduce the need for formal consultation later in the process, as well as allowing communities to adjust to and become familiar with future plans over a longer time period.

Wellbeing Recovery Plan for Tāmaki Makaurau

Interim use is linked to three whenu (focus areas) of the Wellbeing Recovery Plan for Tāmaki Makaurau.

Opportunities for social connection

Research shows that communities that are more connected are more likely to adapt and recover quicker from a disaster. Therefore, opportunities for social connection not only support wellbeing on a neighbourhood and community level, they also help that community move forward and adapt together.

Spaces to promote wellbeing

Creative projects enhance wellbeing within the recovery journey in a multitude of ways, not only for those who create and those who participate, but also those who witness the creativity. Examples from Christchurch show that a ‘social lab approach’, the ability to try new things in a temporary space, can cultivate a feeling of agency and lead to ongoing innovation and community connection.

Opportunities for communities to participate

Community participation and genuine involvement in the processes and decisions that will shape the future of a community can help to promote a sense of self-agency and take back some of the control that has been lost during the weather events.

Other strategic plans

The Auckland Plan 2050, Long-Term Plan 2024-2034, and Thriving Communities Strategy Ngā Hapori Momoho all highlight the need for resilient, well-managed spaces and active community involvement.

The Kia Ora Tāmaki Makaurau framework calls for proactive land management and incorporating Māori values. Interim use of storm affected land contributes to the commitments and strategic direction of these documents.

Purpose

The purpose of these guidelines is to support decision-making around the interim use of storm affected land.

Scope

These guidelines will apply to properties that are purchased by Auckland Council as part of the North Island Weather Events (2023) – Auckland Crown Funding Agreement, signed by Auckland Council and the Crown on 6 October 2023. The council may, from time to time, apply the guidelines to other storm affected land in its property portfolio, at its discretion.

These guidelines apply only to land use that is genuinely interim and temporary in nature; the Storm Affected Land Use Policy, a related policy to guide the future permanent use of storm affected land can be found on Auckland Council's Recovery Office website.¹

Interim use of storm affected land

Auckland Council use

Until future permanent land use is determined, activity on storm affected land will be largely restricted to:

- activities required for house removal
- lawn-mowing, rubbish removal, and other routine maintenance
- identifying and assessing options for future land use.

Some storm affected land poses such high risks that no access will be allowed. In these instances, properties will be fenced off to ensure public safety.

Amenity

Where suitable and appropriate, vacant sites may be temporarily developed to enhance the natural environment, such as through native or wildflower planting. Implementation is dependent on funding and may not be feasible for all sites.

Temporary use

In limited circumstances (as defined below) Auckland Council may consider allowing temporary use of storm affected land. The decision to allow this temporary use may or may not reflect the intentions for final future use of each property. Rather, it acknowledges the time it will take for Auckland Council to make and implement decisions regarding the permanent future use of land, and that there are costs (both financial and social) associated with land sitting vacant for long periods.

In considering active use of storm affected land, staff will be mindful of the experiences of former homeowners, as well as public perceptions about the way we use properties that have been acquired (albeit on a voluntary basis) following a natural disaster.

¹ <https://ourauckland.aucklandcouncil.govt.nz/news/2025/02/future-land-use/>

Commercial use

In line with the principles of the Storm Affected Land Use Policy, Auckland Council is required to make decisions that are financially prudent. Where storm affected land can be utilised in a manner that returns revenue to the council, or where costs can be reduced for projects undertaken by the Auckland Council Group, this land may not become available for community use. Commercial use will be an interim and temporary activity and will only take place where it does not impede future permanent use of the site.

Community use

Some storm affected land categorised as posing an intolerable risk to life for residential use may be suitable for non-residential purposes. The temporary use of a Category 3 property by the community subsequent to the removal of buildings will be considered where it has been assessed and confirmed that:

1. The site is considered sufficiently low risk for public access to occur.
2. The proposed activity is truly temporary and could be withdrawn or halted within the notice period.
3. The proposed activity will not impede future permanent use of the site.
4. There is evidence of support from neighbours and/or the community about the proposed activity.
5. The proposed activity is compliant with all relevant zoning and regulations, or there is a pathway for compliance or permits as applicable.
6. If a lease or licence to occupy is required, the party undertaking the activity is a charitable trust or incorporated society.
7. The party undertaking the activity is able to be responsible for the liability related to the activity e.g. hold liability insurance.
8. The proposed activity differs from residential use to such an extent that the risk profile is substantially lower than for residential use.

OR

9. There are parts of the site that were not impacted by flooding or landslides, and those parts of the site can be separated and secured from the unsafe parts.

The agreement for interim use of storm affected land will in every case stipulate that the occupier:

1. Must comply with the Unitary Plan and Auckland Council's regulatory requirements.
2. Must have liability insurance appropriate to the activities proposed for the site.
3. Must develop a Health and Safety Plan for the site and comply with any health and safety requirements specific to the site i.e., access for emergency service vehicles, visibility from the road.
4. Must ensure the property is kept in tidy condition, i.e. lawns mown, no rubbish.
5. Must not store any items on the property that:
 - a. are valuable enough to potentially encourage someone to enter floodwaters to retrieve them; or,
 - b. are a large enough size that they could block stormwater infrastructure should they be swept away – this includes sheds and fencing.

6. Must provide evidence of communication with neighbours and the community about the activities to be undertaken, days and times of use, and any potential disruptions or impacts such as noise, traffic, or safety concerns.

Enabling community use

As requests for community use of storm affected land are received, staff from the Recovery Office will use the criteria above to make an initial assessment of each property's potential suitability for active community use. Once initial suitability for community use has been determined, staff will assess each application using the criteria below.

If community use is approved, interim use of the land will be enabled, where possible, using existing mechanisms such as:

- community lease
- licence to occupy
- commercial contracts
- partnership agreements.

Assessment criteria for community groups applying to use storm affected land

1. Ability to manage risk associated with storm affected land

- The proposed activity is appropriate to the risk level of the site.
- The community group demonstrates an ability to manage the risks associated with storm affected land.

2. The proposed activity makes suitable use of storm affected land, within the appropriate level of risk

- The proposed activity is either consistent with the Unitary Plan zoning for the property **or** has a clear pathway for meeting the requirements of the Resource Management Act.
- There is a clear pathway for undertaking any licensing, permitting or other regulatory requirements for the activity proposed.
- There is evidence of support from neighbours and the community for the proposed activity.

3. Be prudent with ratepayers' money

- The proposed activity is not reliant on Auckland Council funding, **or**
- Local board funding has been approved to cover or contribute to the costs of the activity.

Note: Auckland Council has not budgeted for any costs associated with storm affected land, beyond keeping empty sections tidy for a limited duration. Any costs will need to be covered by the occupier.

4. Make use of existing council processes

- Preference will be given to community groups who have existing partnerships with Auckland Council. For example, if a community group has previously partnered with Auckland Council's Healthy Waters department to clear weeds and rubbish in a waterway, it would make sense to use the existing process to approve similar activities on storm affected land.

5. Include opportunities for partnerships with Mana Whenua

- The Recovery Office has strong relationships with Mana Whenua, who will be closely involved in determining the future permanent use of storm affected land, as well as any interim uses.
- The proposed activity is aligned with and/or contributes to Mana Whenua goals.
- Preference will be given to community groups who can demonstrate evidence of support and/or established relationships with Mana Whenua.

6. Contribute to local recovery outcomes

- The proposed activity is aligned with and/or contributes to the goals of the Tāmaki Makaurau Recovery Plan and/or Wellbeing Recovery Plan.

Example situations

A local group has an existing relationship with Auckland Council and one or more local boards. Their relationship is managed through a partnership agreement. There are storm affected land parcels in the areas where this group operates, and the group would like to help ensure these sites remain weed and pest free. This interim use will be managed via the existing partnership agreement.

A local pony club borders multiple parcels of storm affected land. The pony club has an existing relationship with Auckland Council that is managed via a licence to occupy. The pony club are prepared to manage the storm affected land on behalf of council, and in return they will be permitted to use the land for grazing. This will be managed via an amendment to the Licence to Occupy.

Existing buildings on storm affected land

In most cases, the interim use of buildings on storm affected land will not be economical nor feasible for reasons outlined below. Applicants will be advised to register an interest in a piece of land on a permanent basis if they are wanting to make use of a storm affected building. Anyone can register their interest in a piece of land via <https://our.auckland.aucklandcouncil.govt.nz/news/2025/02/future-land-use/>

Resource Management Act

Under the Auckland Unitary Plan, the zoning for most storm affected properties is residential. Using existing buildings for a non-residential purpose will in most cases require a resource consent or a change to the underlying zoning. A resource consent for such activities would generate non-residential adverse effects (traffic, noise, character) in a residential setting and therefore would be complex and may require some form of notification. Changes in zoning may be considered where storm affected properties have a preferred permanent use that is not consistent with the current zoning but will not be considered for interim use.

Building Act and Code

Changing a building's use from residential to non-residential triggers a number of increased requirements under the Building Act. The building, in its new use, would need to comply as near as reasonably practicable, with every provision of the building code that relates to

- Means of escape from fire; and

- Protection of other property; and
- Sanitary facilities; and
- Structural performance; and
- Fire-rating performance; and
- Access and facilities for people with disabilities; and
- If it complied with the other provisions of the Building Code immediately before the change of use, continue to comply with those provisions; or
- If it did not comply with the other provisions of the Building Code immediately before the change of use, continue to comply at least to the same extent as it did then comply.

Upgrades to meet these requirements may require building consent, an application for which would also need to be assessed against the location of the building with regards to flooding risk.

Other

The following would also need to be considered for any non-residential activity occurring in existing buildings on these sites.

- Degree of flooding hazard.
- Fire and emergency regulations.
- Seismic strengthening requirements.
- Permits and licensing (selling or supplying alcohol, food stalls, cafes, and restaurants, outdoor dining, mobile trading, busking and street performances, events).
- Parking.

Impermanence

Any interim use must be genuinely temporary and ensure that the temporary activity does not impede the future permanent use of the site. Any investments made towards meeting the above requirements may lead to an occupier being less inclined to withdraw or halt a temporary activity.

Governance and decision-making

Auckland Council's allocation table makes clear that land is owned by Auckland Council as a single entity. Decision-making responsibility relating to land depends on the nature of the activity and the allocation of decision-making responsibility for that activity.

Local boards are responsible for decision-making for interim community activities within their rohe.

Implementation

- Staff hold the decision-making delegation on behalf of local boards via the general delegation to the Chief Executive
- Staff will receive applications for interim community uses, and ensure they align with these guidelines.
- Local board landowner approval representatives will receive information about the proposed interim activity and will be able to:
 - Ask follow-up questions
 - Make suggestions
 - Call in the delegation.
- Local boards can also request advice from staff on whether the proposed activity should receive funding from the local board. This may be for:
 - an existing community partner increasing the scope of their activities i.e., weeding and trapping on storm affected land in addition to reserves
 - activities that are specifically focussed on community recovery.

Assumptions and constraints

- The range of activities allowed on a property will be limited by what is permitted under the Unitary Plan, as well as requirements regarding licensing and permits. Please see Appendix A for a list of activities permitted in all zones, as well as those allowed in all Rural zones.
- These guidelines cover interim use; a separate Storm Affected Land Use Policy covers future permanent use.
- These guidelines will be revised as our understanding evolves and new insights emerge.

Definitions

Non-service land: Land owned by Auckland Council that does not have a current or identified funded future use.

Storm affected land: land that has been defined as Category 3 and purchased by Auckland Council as part of the North Island Weather Events (2023) – Auckland Crown Funding Agreement, signed by Auckland Council and the Crown on 6 October 2023.

Residential use: the occupation of a property or space by one or more persons for living purposes, regardless of the duration. This includes activities such as cooking, sleeping, personal hygiene, and day-to-day domestic living, whether for a single night, short-term stays, or long-term habitation.

Non-residential use: the occupation or utilisation of a property, building, or space for purposes other than living accommodation. This typically includes activities such as retail, industrial, education, healthcare, community services, recreational facilities, cultural venues, creative industries, and other commercial or institutional functions.

The occupier: refers to the business, organisation, community group, or individual with whom Auckland Council has established a formal agreement to use or manage storm affected land. This agreement may be in the form of a community lease, license to occupy, partnership agreement, or other contractual arrangement specifying the terms of use.

Related documents

[Tāmaki Makaurau Recovery Plan](#)

[Wellbeing Recovery Plan](#)

[Storm Affected Land Use Policy](#)

[Interim guidance for decisions on land acquired by Auckland Council as a result of the 2023 severe weather events](#)

[The Auckland Plan 2050](#)

[Long-Term Plan 2024-2034](#)

[Thriving Communities Strategy](#)

[Kia Ora Tāmaki Makaurau framework](#)

[Decision-Making Responsibilities of Auckland Council's Governing Body and Local Boards](#) (Section 3.5, p384)

Appendix A

Subject to landowner approval by the Recovery Office, the following activities do not require Resource Consent in any zone.

Activities permitted within all Unitary Plan zones

Activity	Other requirements	Notes
Trapping and weed management (on land)	Health and Safety planning Signage alerting visitors to hazards Existing council volunteer programme to tap into	
Clearing and weed management (in or near a waterway)	Health and Safety planning Signage alerting visitors to hazards Existing council volunteer programme to tap into	
Planting (on land)	Health and Safety planning Signage alerting visitors to hazards Existing council volunteer programme to tap into	It is possible that some plants may need to be removed in service of the permanent use once it is confirmed.
Planting (in or near a waterway)	Health and Safety planning Signage alerting visitors to hazards Existing council volunteer programme to tap into	It is possible that some plants may need to be removed in service of the permanent use once it is confirmed.
Play activation	Health and Safety planning Signage alerting visitors to hazards Via existing Out and About Activation programme	

Activity	Other requirements	Notes
Animal grazing	<p>Licence to Occupy or Lease</p> <p>Health and Safety planning</p> <p>Other grazing that animals can be shifted to when weather forecast suggests flooding may occur</p> <p>Signage alerting visitors to hazards</p> <p>Public liability insurance of minimum \$5 million – Certificate of Currency</p>	For residential zones, the site must be at least 2000m ²
Film production	<p>Filming agreement</p> <p>Health and Safety planning</p> <p>Signage alerting visitors to hazards</p> <p>Consultation with neighbours</p> <p>Public liability insurance of minimum \$5 million – Certificate of Currency</p>	Permitted up to 30 days regardless of the zone. Anything over 30 consecutive days requires Resource Consent.
Events and public meetings	<p>Event permit if applicable</p> <p>Food registration if applicable</p> <p>Waste plan if applicable</p> <p>Health and Safety planning</p> <p>Signage alerting visitors to hazards</p> <p>Consultation with neighbours</p>	<p>Require an event permit if the event:</p> <ul style="list-style-type: none"> • is for more than 150 people • will be on any public open space like a park, road or the water • is a commercial activity • could cause damage to public property, the environment or surrounding roads in any way • will involve alcohol, excessive noise, pyrotechnics or fireworks • will generate any form of waste • will put the public and their safety at risk (the event organiser must take out public liability Insurance) • needs power and vehicle access • has food stalls or vendors (including catering or food trucks) • will have large structures like bouncy castles, stages, marquees or signage.

Subject to landowner approval by the Recovery Office, the following activities do not require Resource Consent within rural zones.

Activities permitted within the Future Urban zone, and all Rural zones

Activity	Other requirements	Notes
Kai Growing	Meets Auckland Council's <i>Kai Growing Spaces Guidelines</i> Licence to Occupy or Lease Signage alerting visitors to hazards Health and Safety planning	Not usually a temporary activity – will be considered on a case-by-case basis.
Off leash dog walking	Signage alerting visitors to hazards	
Interpretive signs	Signage alerting visitors to hazards	Except in the Rural - Waitakere Foothills Zone and Rural – Waitākere Ranges Zone