

Auckland Council

Proposed Plan Change 78 – Intensification

Frequently Asked Questions

1. What has the council proposed? What is changing in the Auckland Unitary Plan?

The council's Proposed Plan Change 78 responds to central government's National Policy Statement on Urban Development (NPS-UD) to enable more building height and housing density within and around Auckland's city centre, metropolitan centres and rapid transit stops such as train and busway stations. The proposed plan change also implements amendments made to the Resource Management Act 1991 (RMA) in 2021.

The main proposals in Proposed Plan Change 78 include the following:

City Centre and Metropolitan Centres: Unless there is an exemption called a qualifying matter, we must allow for as much building height and density as possible in the city centre for new homes and businesses and building heights of six storeys or more within Auckland's 10 large metropolitan centres - Newmarket, Manukau, New Lynn, Sylvia Park, Botany, Papakura, Takapuna, Henderson, Albany, and Westgate.

Walkable catchments: From the edge of the city centre, the edge of our 10 metropolitan centres and around existing and planned rapid transit stops, we are required to have 'walkable catchments' where building heights of six storeys or more must be enabled. The Council can only provide for lower heights where it is accommodating qualifying matters.

Town and local centres: We must enable building heights and density around suburban town and local centres across Auckland to match the level of commercial activity and other community services each suburban centre provides.

Medium Density Residential Standards (MDRS): We are required to enable more medium density housing, with homes of up to three storeys in relevant residential zones across almost all urban Auckland suburbs. These will usually take the form of low-rise apartments, terrace housing and townhouses.

Qualifying matters: These are exemptions to limit building heights and density that would otherwise be enabled on a site or in an area. The government requires some qualifying matters and the council have proposed to apply some in Auckland,

including areas with special character values and areas with water and/or wastewater infrastructure constraints.

2. How is central government directing New Zealand's large cities to grow?

Over the past two years, central government has taken a much stronger role in planning for the growth of New Zealand's largest and fastest growing cities - Auckland, Hamilton, Tauranga, Wellington, and Christchurch.

They have made two significant reforms that councils are required to implement. The National Policy Statement on Urban Development 2020 (NPS-UD) and changes made to the Resource Management Act 1991 (RMA) by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

The Auckland Unitary Plan already enables over 900,000 new homes to be built in residential areas alone (i.e. not including places such as the city centre), with higher-density housing, such as apartments, terrace housing and townhouses, enabled close to public transport and centres with shops, jobs and community services. These government requirements will significantly increase the amount of housing enabled close to public transport and centres with shops, jobs and community services and across most suburbs.

3. What does this mean for Auckland?

Auckland Council must allow for more building height and housing density by publicly notifying proposed plan changes to the city's planning rulebook - the Auckland Unitary Plan - by 20 August 2022. This includes changes to the rules for how people can choose to develop their property, if they wish.

Unless there is an exemption to limit building height and density, called 'qualifying matters', we must allow for as much building height and density as possible in the city centre for new homes and businesses, and building heights of six storeys or more within Auckland's 10 large metropolitan centres - Newmarket, Manukau, New Lynn, Sylvia Park, Botany, Papakura, Takapuna, Henderson, Albany, and Westgate.

From the edge of the city centre, the edge of our 10 metropolitan centres and around existing and planned rapid transit stops such as train stations and stops on the Northern Busway, we are required to have 'walkable catchments' where building heights of at least six storeys must be enabled. The Council can only provide for lower heights where it is accommodating qualifying matters.

We must enable greater building heights and density around other suburban town and local centres across Auckland to match the level of commercial activity (e.g. jobs, shops) and other community services each suburban centre provides.

The 2021 amendments to the Resource Management Act 1991 (RMA) require us to enable more medium-density housing, with homes of up to three storeys in relevant

residential zones across almost all urban Auckland suburbs, such as low-rise apartments, terrace housing and townhouses as a permitted activity, provided that all the medium density residential standards are complied with.

4. Can Auckland Council say no to the government's changes?

No, we cannot. Auckland Council is required by the RMA to notify an intensification plan change on or before 20 August 2022, to give effect to Policies 3 and 4 of the NPS-UD and to incorporate the MDRS into relevant residential zones. There is a plan change to the Auckland Unitary Plan. The changes directed by the government are mandatory and we must comply with the legislation.

5. What about protecting areas from more intensification?

Central government allows for some exemptions to modify the required three-storey and six-storey building heights. Called 'qualifying matters', these may limit building height and density in some areas where it may not be suitable, including sites or areas of cultural, historic, or ecological significance, or areas with natural hazards.

The government has already identified several required qualifying matters that may be applied and allows the council to identify other qualifying matters relevant and important to our city. To justify these qualifying matters, we must provide strong evidence to prove why an exemption is needed.

6. How do exemptions for building heights work?

We cannot choose to 'roll over' existing protections within the Auckland Unitary Plan for an area. Auckland Council must provide strong evidence to prove why an exemption (a qualifying matter) should apply. This has to be justified against the government's clear requirements to allow more housing.

To provide a strong evidence base, the council must do site-specific surveys and assessment. The threshold for reducing building height and density is set very high and will be tested through submissions, public hearings, and review by an Independent Hearings Panel (IHP) who will make recommendations to the Council on the intensification plan change.

Having a site or an area that is subject to a qualifying matter does not prevent development from happening on that site or in that area. It only limits development enough to ensure that what is being protected or managed is not compromised by that development. We must still allow for more building height and housing density than we currently do.

7. If many of the government requirements are mandatory, what has the council been able to decide?

While the majority of the government's changes are mandatory, the council has been able to make some limited decisions within what is required, including:

- The distances of the required walkable catchments around the edge of the city centre, the edge of metropolitan centres and from existing and planned rapid transit stops where buildings of six storeys or more must be enabled
- The extent of additional building height and density to enable within and next to other suburban centres – neighbourhoods centres, local centres, and town centres
- The unique qualifying matters that will apply in Auckland, where the government has allowed us to identify relevant and important characteristics for protection in Auckland, and where lower building heights and/or less intensification should occur.

8. What is a walkable catchment?

The NPS-UD requires Auckland Council to identify walkable catchments around the edge of the city centre, the edge of metropolitan centres and from existing and planned rapid transit stops and enable buildings of at least six storeys within these areas. The Council can only provide for lower heights where it is accommodating qualifying matters.

The council has proposed walkable catchments that represent the distance an average person is likely to walk to the city centre, metropolitan centres or a planned or existing rapid transit stop. The council has applied two walkable catchment distances:

- a 15-minute walk (around 1200 metres) from the edge of Auckland's city centre
- a 10-minute walk (around 800 metres) from the edge of Auckland's ten metropolitan centres and around Auckland's 49 rapid transit stops (e.g. train stations or busways).

The council's proposed walkable catchments are identified through a spatially demarcated layer on the plan change maps called 'Walkable Catchments'. Chapter G in the AUP text has been amended to be called '*Chapter G – Rural Urban Boundary (RUB) and Walkable Catchments*'.

9. Why have these walking distances been proposed and not shorter or longer distances?

The council received feedback on the proposed walkable catchment distances in April/May 2022. There was a high level of support for the selected distances but

there were some that provided feedback that they were too far for someone with limited mobility. Others provided feedback that there is evidence to show that people can, and do, walk further than 1200m to access public transport and other amenities.

When determining the walkable catchments the council had regard to the guidance of the Ministry for the Environment which said that the distance should be one that an *average* person is likely to walk. There is a wide body of research to show that ‘on average’ people walk at about 5km/hr so would cover a distance of about 400 metres in about 5 minutes, about 800 metres in 10 minutes, and about 1200m in 15 minutes.

The Ministry for the Environment guidance also suggested that, consistent with academic research, people are generally willing to walk 10 minutes to access public transport or an urban centre (with retail, employment, services etc). A 10-minute walk (about 800 metre) is a widely used metric in various cities around the world as being a ‘walkable catchment’.

The walkable catchment for Auckland’s city centre is proposed to be larger, with a distance of around 1200 metres (a 15-minute walk) from the edge of the City Centre Zone. This is because the city centre is much larger than any of the metropolitan centres and has, by far, Auckland’s greatest concentration of employment, retail, entertainment, tourism, education, and civic services and facilities. It will also have three rapid transit stations once the City Rail Link project is completed.

While a 10-minute walk (800 metres) is a widely agreed average, there is evidence to show that people will walk further to public transport that is frequent (i.e. ‘turn-up-and-go’) and enables access to large areas (e.g. interchange stations). Similarly, there is evidence to show that people will walk further to centres that have a high number and wide range of activities and services.

This evidence includes relatively high ‘walk-to-work’ census data results for inner city suburbs surrounding the city centre. The Ministry for the Environment guidance notes 800 metres as a good starting point, but also ‘expects’ Auckland’s city centre to have a larger walkable catchment.

10. Are these walkable catchment distances like a circle on a map?

No. A radial ‘ped-shed’ (pedestrian shed) has historically been used in town planning as a simple method to show walkable catchments. However, it measures the distance in a straight line ‘as-the-crow-flies’ and therefore greatly over-estimates the areas that people could actually walk to in a certain time.

Instead, the council has used a GIS mapping analysis to measure 800 metres (or 1200 metres for the city centre) along the actual walking network – that is, a digitally mapped network of roads, pathways, and tracks. Furthermore, the edges of the walkable catchments have been manually refined by considering factors such as

steep hills or the presence of arterial roads that might reduce the actual distance people can walk in 10 or 15 minutes.

11. What is rapid transit?

The rapid transit network includes stops on a dedicated busway or rail network where a bus or train arrives at least every 15 minutes or where they are planned to have this frequency in the future.

Walkable catchments are identified for existing and planned rapid transit stops along Auckland's rail network (the Western, Eastern, and Southern rail lines), the Northern Busway, and the Eastern Busway.

Planned rapid transit stops must have certainty around both their funding and their exact location before a walkable catchment can be identified.

The Onehunga Branch Line is not considered rapid transit as it is not planned to reach a 15-minute service frequency. Ferry services are also excluded as this mode of public transport does not meet the government's definition of rapid transit (which is limited to road/rail).

12. Doesn't the Auckland Unitary Plan already provide for enough housing?

Auckland Council has led the way nationally in terms of enabling more housing. The Auckland Unitary Plan already allows for a very large number of additional homes to be built across our city close to public transport and urban centres. There are now increasing numbers of higher-density homes and more housing choices being delivered at record levels.

We are currently consenting up to 20,000 new homes a year, four times what we were a decade ago, with around two-thirds of new consents for higher-density housing.

Overall, the Auckland Unitary Plan enables capacity for over 900,000 homes in Auckland's existing residential areas. There is even more housing capacity when the city centre and large metropolitan centres are included. This is more than enough to cater for growth. However, central government is now directing us to do more, requiring significant changes to enable even more development in the urban environment.

13. Does this mean my property will be developed?

The Auckland Unitary Plan sets the rules for how land can be used, including what can be built and where. Changing the planning rules for what can be built on a property does not mean that development must take place.

Rather, it provides property owners with more choices about how to use their land. It is entirely up to them to choose to develop their property if they wish, or not.

While some development of residential sites will likely occur where it complies with the new MDRS, following the notification of the IPI on 18 August 2022 (see FAQ below about immediate effect), there's also a long way to go before any final changes to the Auckland Unitary Plan are decided. And, even then, it can take years before redevelopment starts happening to a level that is noticeable across areas.

14. Does this mean there will be apartments everywhere?

The government directions will result in the AUP having more Terrace Housing and Apartment Buildings zoning in urban Auckland, which will provide more opportunities for apartment buildings to be developed. This doesn't mean there won't still be other types of housing.

However, the requirements of the NPS-UD and the RMA do mean that there will be far more places where apartment buildings of six storeys will be developed over time (close to the city centre, metropolitan centres and rapid transit stops). The requirements also mean that, over time, low-rise apartment buildings of three storeys in height will be developed across many Auckland suburbs.

15. Is there a difference between historic heritage and special character areas?

Yes, the terms 'heritage' and 'special character' are often used interchangeably but they are different.

Historic heritage is defined in the RMA and is recognised as a matter of national importance (section 6 of the RMA). The RMA requires that historic heritage be protected from inappropriate subdivision, use, and development. The Auckland Unitary Plan achieves this through the identification of historic heritage places and areas and provisions that protect them.

Special character values can derive from the history of a place or area. These values are different from historic heritage as identified in the RMA and Auckland Unitary Plan. Special character areas are also identified in the Auckland Unitary Plan and more closely align with amenity and quality of the environment. They are provided for as an "Other matter" under section 7 of the RMA.

Historic heritage (along with all RMA matters of national importance) has been included in the NPS-UD as a qualifying matter, whereas special character was not. The council has chosen to include areas with special character value as a qualifying matter. There is further detail on this below.

16. So, Auckland's historic heritage will continue to be protected?

Yes, Auckland's historic heritage continues to be protected as a matter of national importance under the RMA. The Historic Heritage Overlay is identified as a qualifying matter and heritage protections in the Auckland Unitary Plan will not change.

17. What is the council's approach to residential special character areas?

Proposed Plan Change 78 proposes changes to the extent of the Auckland Unitary Plan Special Character Areas Overlay. Some properties are proposed to be removed from the overlay.

Information on whether a property is subject to the Special Character Areas Overlay is held in both the Proposed Plan Change 78 map viewer and should be compared with the Auckland Unitary Plan planning maps to identify which properties are proposed to be removed from the overlay. These maps should be read in conjunction with the FAQ on immediate legal effect, later in this document.

To inform the Council's approach to residential special character areas, an extensive review of all existing special character areas was completed. This was the first region-wide review, as one was not undertaken during the preparation of the Auckland Unitary Plan.

Following this review, we're proposing a balanced approach to ensure areas of special character are protected while also delivering on the government's strong direction to enable more housing for current and future Aucklanders.

Within walkable catchments, only areas with high quality special character value are identified to be protected. High quality is defined as at least 75% of individual properties strongly contributing to the character values of the area. This approach will enable more housing density around large centres and rapid transit that is close to jobs, shops, and services.

Outside of walkable catchments, areas that continue to have special character values are identified to be protected. Here, areas with special character values are defined as having at least 66% of individual properties strongly contributing.

There are some parts of existing special character areas that have not retained this level of special character values. It is proposed that, by no longer identifying them within the Special Character Areas Overlay, these areas will change to support more housing development.

18. Why has the council proposed this approach? Why not keep all special character areas?

To meet the government's requirements, we need to find a balance between protecting important character values and enabling more housing density in places that provide good access for people to jobs, shops, community services and public transport.

We cannot 'roll over' our existing special character protections and keep every area. While central government allows for some exemptions to reduce building heights and density, Auckland Council must provide strong evidence to prove why further housing density and height should be limited.

The required evidential threshold is very high and makes it difficult to justify retaining special character areas where the values have been degraded.

The threshold for limiting building height and density will be tested through public submissions, hearings, and independent expert review.

19. Why are changes happening in special character areas?

Central government's new housing direction mandates more building height and density across the entire city, so there will be changes for almost all Auckland suburbs, including those with special character.

Many of Auckland's older residential suburbs were built around the early public transport network and emerging town centres, which have become increasingly important for people as the city grows. This is where many of our special character areas are located.

It is also within these areas where the government now requires us to enable more housing, including apartments of six-storeys or more within walking distances of the edge of our 10 large metropolitan centres and from existing and planned rapid transit stops, like train and busway stations. Across the rest of the city, we are also required to enable more homes of up to three storeys on most urban residential sites.

20. How were residential special character areas assessed?

Special character areas were reviewed in a process which involved data collection, review, and analysis. Field surveys were carried out until the national COVID-19 alert levels no longer allowed this, with site-specific data then collected through a desk-top based survey.

We surveyed all residential special character areas using five criteria based on the values of special character identified in the Auckland Unitary Plan. This includes architectural style, period of development, typology, relationship to the street and

scale. In addition, we also looked at the physical integrity of buildings. Individual properties were given one point for each “contributing” criteria. This means each property receives an overall score of up to six.

Properties scoring a total of 5 and 6 are considered to strongly contribute to the character values of an area. To be identified as a qualifying matter, within walkable catchments, areas are required to have at least 75% of places strongly contributing to the values of the area. Outside walkable catchments, the threshold is 66% of places strongly contributing.

21. How were business special character areas assessed?

An extensive review of all existing special character areas was completed in 2021. This was the first region-wide review of the special character overlay, as one was not undertaken during the development of the Auckland Unitary Plan.

Business special character areas were reviewed in a process which involved data collection, review, and analysis. Field surveys were carried out until the national COVID-19 alert levels no longer allowed this, with the site-specific data then collected through a desk-top based survey.

Business special character areas were surveyed using criteria based on the values of special character identified in the Auckland Unitary Plan. This includes architectural style, period of significance, materials/construction, relationship to the street and typology. In addition, we also looked at the physical integrity of buildings.

Properties were determined to be character defining, character supporting, neutral or detracting. In business areas, high quality was determined by an area that continued to exhibit the special character values and qualities identified in the Auckland Unitary Plan. In almost all high-quality areas, the majority of the buildings are character defining or character supporting.

22. What is the new low-density residential zone?

Auckland Council is proposing a new ‘Residential – Low Density Residential Zone’ (LDR zone). The purpose of this zone is to reduce the level of development enabled by the Medium Density Residential Standards (MDRS) to limit required building heights and density in areas where some qualifying matters apply.

For example, to minimise the number of people being exposed to risks of coastal erosion through reducing the number of houses allowed to be developed on a site without a resource consent.

The LDR zone was developed to ensure Auckland Council is consistent with the zoning allowed in the National Planning Standards and the 2021 RMA amendments requiring any reductions to height and housing intensity (relative to the MDRS), to be linked to qualifying matters.

The LDR zone will provide for a lower-level of development to a maximum of up to two storeys and one house per site, with two or more houses requiring a resource consent.

23. Where will MDRS not apply?

Medium Density Residential Standards (MDRS) are only required to be incorporated into relevant residential zones. The council has identified the Residential – Terrace Housing and Apartment Buildings Zone and Residential – Mixed Housing Urban Zone as its relevant residential zones. The MDRS will not be incorporated in any non-residential zones (such as business zones, rural zones, the Future Urban zone, Open Space zones, and Special Purpose zones).

The following residential zones are **not** relevant residential zones and the MDRS will not be incorporated into these zones: Residential - Large Lot, Residential – Mixed Housing Suburban, and Residential - Single House Zones. The council can make the MDRS less enabling of development where a qualifying matter acts to constrain the development potential available under the MDRS.

Medium Density Residential Standards (MDRS) will not apply in all non-residential zones (such as business zones), and in the Future Urban, Residential - Large Lot, Residential- Rural and Coastal Settlement and Residential - Single House Zones. MDRS will also not partly or fully apply where a qualifying matter acts to constrain the development potential available under the MDRS.

24. Will all these changes mean more capacity for new homes? and how much?

The changes will substantially increase the amount of capacity for new dwellings which is enabled by the Auckland Unitary Plan. Allowing for all of the qualifying matters, there would be plan-enabled capacity for an estimated 2,826,000 dwellings in total. That is an increase in enabled capacity of just over 1 million dwellings.

Currently there are approximately 528,000 dwellings in the relevant residential and business zones, and over the next 30 years to 2051 another 338,000 dwellings would be needed in a ‘high growth’ future.

25. What’s happening in the Auckland Light Rail corridor?

The Auckland Light Rail project will see new rapid transit stations introduced in the Auckland isthmus, Māngere and airport areas.

Intensification at scale, including taller buildings, and higher housing and employment densities, will be enabled around specific stations along an identified route between the city centre and the airport, than compared with areas without light rail.

At this point in time, the specific route and stations for light rail have not been confirmed. More work is required within the corridor to confirm the route and stations, and therefore this area has not been included in Proposed Plan Change 78 at this stage. There are therefore no zoning changes or any other planning rules proposed by Proposed Plan Change 78 within the corridor at this time.

The specific route and stations are expected to be engaged upon and confirmed as part of the ALR project in 2023. When that work is finalised, the council will complete the proposed plan change in 2023 by notifying for submissions what is known as a 'variation' to Proposed Plan Change 78 for the light rail corridor.

26. How is the council dealing with infrastructure constraints?

There are three 'council identified' qualifying matters relating to infrastructure:

- Water and Wastewater Servicing Constraints (which includes Infrastructure – Water and/or Wastewater Constraints Control and Infrastructure – Combined Wastewater Network Control)
- Stormwater Disposal Constraints (Infrastructure – Stormwater Disposal Constraints Control)
- Beachlands Transport Constraints (Infrastructure – Beachlands Transport Constraints Control)

Water and wastewater: Auckland Council and Watercare Services Limited have identified sites in Auckland that are subject to water and wastewater servicing constraints that will not be able to be addressed in the next 10 years. There are sites in the central Auckland isthmus where there are currently capacity issues with the combined wastewater network (i.e. no ability to connect to an existing separated local stormwater pipe) during wet weather events. In addition, there are sites that in the long term (10-plus years) will either have a constrained water supply or constrained wastewater service or in some locations both.

Stormwater: Auckland Council has identified sites in the central Auckland isthmus that are subject to limitations regarding the disposal of stormwater, and where there is no ability to connect to the public stormwater network and where ground soakage capacities are constrained. The safe and efficient provision of stormwater disposal services are a critical component of a well-functioning urban environment.

Transport: Auckland Council and Auckland Transport have identified that the coastal settlement of Beachlands has unique characteristics that justify the application of a transport-related qualifying matter. Beachlands is subject to significant transport infrastructure constraints that will not be able to be addressed in the next 10 years. Intensification would make the existing accessibility issues worse.

27. How can I make a submission to give my views?

The submission period will be open from Thursday 18 August to Thursday 29 September 2022.

People can make a submission by completing an online submission form at aucklandcouncil.govt.nz/planchanges. There are also options to make a submission by email or in person at a local library or Auckland Council service centre.

If you are preparing a submission it helps to make sure that you clearly state what in the proposed plan change you want to see changed and why. Referring to chapter or rule numbers helps make your submission clearer.

All submissions will be coded and summarised. These summaries will be published towards the end of 2022, and other people can then make a further submission with their support or opposition to your submission. All of these documents will be sent to the Independent Hearings Panel (IHP), who will arrange hearings of submissions in 2023.

You may have provided feedback on the council's consultation draft in April/May 2022. If the issues raised by you in your feedback have not been addressed in the proposed plan change, or you are seeking to amend the proposed plan change, you will need to make a submission.

28. What is the Independent Hearings Panel and what is their role?

An Independent Hearings Panel (IHP) consists of eight members appointed by the council who have combined expertise in planning, law, urban design, heritage, landscape architecture and Tikanga Māori.

The role of the Independent Hearings Panel is to consider all submissions to the proposed plan change, hold hearings with submitters, and then make recommendations back to the council on what changes it sees are needed are needed to Proposed Plan Change 78. They can also make recommendations on things not raised in people's submissions or the hearings.

These recommendations will set out what amendments they see need to be made to plan change 78 and the reasons for why these amendments are needed. These recommendations will then be considered by the council and decisions made to either accept or reject each of these amendments.

29. When will the Independent Hearings Panel process be completed and decisions made?

The IHP process is completed in two stages. For Proposed Plan Change 78 recommendations must be given back to the council with sufficient time that the council can make decisions on these recommendations before the 31st of March

2024. This date has been set by the government as the time limit by which Auckland Council must notify its decisions.

Should the council reject amendments made in Independent Hearings Panel recommendations and propose alternative recommendations, then the Minister for the Environment must make final decisions on the rejected Independent Hearings Panel recommendation, the council's reasons, and the council's alternative recommendation.

There are no Environment Court of High Court appeal rights in relation to decisions on recommendations. The High Court's role in the decision-making process is restricted to making decisions on any judicial review applications made in relation to decisions by either council or the Minister on IHP recommendations.

30. What new rules come into legal effect on 18 August 2022?

Usually, only a limited number of rules will have immediate legal effect from the date a proposed plan change is notified, and the provisions of an operative plan will still apply. In most cases a proposed plan change's new rules do not apply to development proposals until decisions on the plan change are made.

This is true for most rules in Proposed Plan Change 78. However, the government changed the RMA to bring forward greater housing supply so in some circumstances some rules will apply straightaway.

Rules incorporating the government's new Medium Density Residential Standards (MDRS) into the Residential – Mixed Housing Urban Zone and Residential – Terrace Housing and Apartment Buildings Zone may apply from 18 August 2022, when Proposed Plan Change 78 is notified. All the following matters must be satisfied for the Proposed Plan Change 78 rules to apply to a development proposal straightaway:

- The proposal is for 1, 2 or 3 dwellings (or alterations and additions), and
- The development site is in Residential – Mixed Housing Urban Zone or Residential – Terrace Housing and Apartment Buildings Zone, and
- The proposal is not within the Auckland Light Rail corridor, and
- Proposed Plan Change 78 says the proposal is a permitted activity, and
- Proposed Plan Change 78 incorporates the MDRS into the relevant residential zone, and
- The proposal complies with MDRS, and
- There are no qualifying matters applying to the development site (see the Proposed Plan Change 78 map viewer and text) and the site is not a new residential zone

The RMA was amended to include technical details around which rules apply at different times. Only in limited circumstances will some operative rules in the

Auckland Unitary Plan cease to apply. More technical information is available on this topic in a resource consenting practice and guidance note available at www.aucklandcouncil.govt.nz