



**August  
2022**



## **Proposed Plan Change 78 Information Sheet #8 Qualifying matters (Part 2)**

**In August and September 2022, Auckland Council is inviting submissions on changes to the Auckland Unitary Plan (AUP) – our city’s planning rulebook – to allow for greater building heights and densities in urban Auckland. This is known as Proposed Plan Change 78 - Intensification.**

**This information sheet provides an overview of the qualifying matters identified by the council and the preliminary approach to applying them in the AUP.**

**Submissions are now invited on the proposed plan change. The period for submissions closes on 29 September 2022.**

### **The government’s approach to more housing**

The government’s National Policy Statement on Urban Development (NPS-UD) came into force in August 2020 and was updated in May 2022. The NPS-UD directs Auckland Council 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 NPS-UD also requires more building height and housing density within and around neighbourhood, local and town centres.

In December 2021, the government also made amendments to the Resource Management Act 1991 (RMA). The RMA now requires the councils of New Zealand’s largest and rapidly growing cities – Auckland, Hamilton, Tauranga, Wellington and Christchurch – to incorporate new Medium Density Residential Standards (MDRS) in relevant residential zones.

Through the use of MDRS the government requires the council to enable medium-density housing across most of Auckland’s residential suburbs. Three dwellings of up to three storeys, including terrace housing and low-rise apartments, are to be permitted on most residential properties unless a ‘qualifying matter’ applies (see information sheets #7 and #8). Four or more dwellings are to be enabled through a non-notified resource consent.

To deliver the NPS-UD and the MDRS, the council is required to publicly notify changes to the AUP by 20 August 2022.

## What is a qualifying matter?

Qualifying matters are characteristics about some properties or within some areas that may allow the council to modify, or reduce, required building heights or density.

Qualifying matters include sites of cultural, historic, or ecological significance or requirements to avoid development in areas with natural hazards. Many of them are shown as overlays in the AUP that protect or recognise the feature or value that is being identified.

The government has identified a number of qualifying matters that modify three-storey and six-storey building heights normally required by its intensification policies. These are listed below along with the AUP overlay that relates to them.

The government also allows councils to identify other qualifying matters that are relevant for places and communities. Auckland Council has identified other additional qualifying matters that are important for Auckland. These are listed and described below.

Applying a qualifying matter doesn't prevent development from happening in that area. It only reduces development enough to ensure that what is being protected or managed isn't compromised by that development.

## What are the council's additional qualifying matters?

The council has identified the following qualifying matters that are important for Auckland and to Aucklanders. The council has looked at Auckland's landscape, infrastructure, built form and community values to identify additional qualifying matters.

The council must provide strong evidence to justify why such qualifying matters should apply, given the government's direction for more housing. To provide a strong evidence base, the council must do site-specific analysis and assessment. The threshold for limiting building height and density through qualifying matters is very high.

The council's proposed qualifying matters it has identified are as follows.

- **Auckland War Memorial Museum Viewshaft Overlay**  
Limits building height to protect the views and qualities associated with this historic heritage place.
- **City Centre character buildings and built form controls**  
Rules to maintain and enhance the character values of pre-1940s buildings within the Queen Street Valley Precinct. This also applies to specific sites outside of the precinct that make a strong or significant contribution to the character of the surrounding area.

- **Local public views including Stockade Hill**

Individual viewing points, heights and their locally significant viewshafts from public places, contribute to the unique character of some of Auckland's neighbourhoods.

- **Ridgeline Protection Overlay**

Limits the height of buildings on ridges. This provides a backdrop to urban and rural areas that people appreciate. Auckland contains a number of important ridgelines that contribute to the scenic character of the region.

- **Significant infrastructure constraints**

Infrastructure constraints exist in Auckland. The qualifying matters that have been identified are:

- Water and wastewater constraints that relate to residential sites that are connected to a combined wastewater and stormwater network. The second constraint relates to residential sites with existing significant capacity constraints. Where these constraints exist a restricted discretionary activity resource consent application has to be made for more than one dwelling per site and for subdivision in the mapped areas where there are water and/or wastewater constraints.
- Stormwater and disposal constraints exist in the central isthmus of Auckland for sites that have limitations associated with the disposal of stormwater. These sites have no ability to connect to the public stormwater network, and ground soakage capacities are constrained. The sites are located in Mount Eden (being an area in the vicinity of the intersection of Mount Eden and Balmoral Roads, and bounded by Manukau Road, Epsom Avenue, Matipo Street, and Gorrie Avenue). These sites are identified by a mapping layer and require a restricted discretionary activity resource consent for a proposal that will result in more than one dwelling on the site.

- **Transport constraints in Beachlands**

Additional residential intensification in Beachlands would affect on the local road network which is already under stress because of the very limited public transport in this locality. Beachlands has a heavy reliance on the Whitford-Maraetai Road to access employment and education opportunities. There is a need for a new ferry terminal and wharf, in addition to public transport services and arterial road improvements to support population growth. There is also a lack of local employment opportunities, requiring residents to travel outside the Beachlands area, and inability of public transport (ferry and bus) to cater for this demand. Therefore, a qualifying matter is applied to the Beachlands area for transport purposes. This seeks to limit development where there is not enough infrastructure to support the development enabled by the NPS-UD and the MDRS.

- **Special character areas (Residential and Business)**

Special character areas are older established areas and places of special architectural or other built character value. They are areas that have collective importance, relevance

and interest to a local area or to the region. Special character areas are managed by the Special Character Overlay, which includes rules that limit building height and density to manage special character values. More information is provided in Information Sheet #9 Special Character Areas.

- **Notable Trees**

24 new trees or groups of trees are proposed to be added to the Notable Trees Schedule 10 and correct a number of errors in the Schedule.

- **Māori Cultural Heritage - Pukekiwiriki Pā.**

This is a historic reserve owned by the council and managed by the Pukekiwiriki Pā Joint Management Committee. Four residential properties that are located adjacent to the reserve currently encroach into the culturally significant views from the Pā. Greater height enabled by MDRS has the potential to make this encroachment greater. A limit is applied to these houses to retain their existing permitted height of 8m + 1m height for roof.

- **Māori Cultural Heritage - Pararēkau Island**

This is identified as wāhi tapu, wāhi nohoanga and wāhi taonga by several mana whenua groups of Tāmaki Makaurau. The level of development on the Island has been agreed by the developer and iwi. The application of MDRS could significantly increase the scale and intensity of development on the island, and this will generate an adverse effect on the cultural relationship iwi have with the Island, and so the Residential - Low Density Residential Zone is applied to this.

## Further information

- To learn more about how Auckland Council is planning for growth and development, visit [ourauckland.nz/growingtogether](https://ourauckland.nz/growingtogether)
- For detailed information about the National Policy Statement on Urban Development 2020 (NPS-UD) visit the [Ministry for the Environment website](#).
- For more information on the RMA and the amendments made to it in 2021 including the MDRS requirements [visit the Ministry of Housing and Urban Development website](#).

**Please note:**

**This information sheet is a summary document to assist with understanding Proposed Plan Change 78 - Intensification, the Council's intensification planning instrument, which gives effect to Policies 3 and 4 of the National Policy Statement on Urban Development 2020 and incorporates the medium density residential standards into relevant residential zones as required by the Resource Management Act 1991.**

The proposed plan change to the Auckland Unitary Plan was publicly notified by Auckland Council on 18 August 2022.

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