



Variation 4 to Proposed Plan Change 60 (PC60)

Variation 4 to Proposed Plan Change 60
(PC60) to the Auckland Unitary Plan
(Operative in part)

SECTION 32; SECTION 77J and SECTION 77L

EVALUATION REPORT

Table of Contents

Executive summary.....	3
1.0 Introduction	5
1.1 Section 32 Evaluation	5
1.2 Section 77J Requirements.....	5
1.3 Section 77L Requirements.....	6
1.4 The Evaluation Approach.....	6
2.0 The Issue	8
2.1 Plan Change 60	8
2.2 Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.....	9
2.3 The Need for a Variation	19
3.0 Objective.....	9
4.0 The Evaluation Process and Scope.....	18
4.1 Outline of the Evaluation Process	10
4.2 What is in Scope/Out of Scope.....	19
5.0 Statutory Evaluation Under the RMA	10
6.0 National and Regional Planning Context.....	13
6.1 National Policy Statements.....	13
6.2 Other Acts.....	14
6.3 Regional Documents.....	14
7.0 Development of Options.....	18
7.1 Methodology.....	18
7.2 Information Used.....	19
7.3 The Options	24
8.0 Consultation.....	21
9.0 Evaluation of Options.....	22
10.0 Conclusion.....	23
11.0 List of Attachments.....	25
Attachment 1.....	27

Executive Summary

This combined s32, s77J and s77L report evaluates Variation 4 (**VAR5**) to Proposed Plan Change 60 (PC60) to the Auckland Unitary Plan (Operative in Part)(**AUP**). Variation 4 is required by Clause 34 of Schedule 12 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. This report also considers whether there are any relevant qualifying matters under s77I, O or L and whether these matters result in a need to make the MDRS or density requirements under Policy 3 of the NPS-UD less enabling of development.

Variation 4 seeks to rezone land that was subject to Plan Change 60 – Open Space and Other Rezoning Matters. Plan Change 60 sought to rezone a number of sites in the urban environment to a residential zone. The variation will seek to rezone the sites where the decision of the hearing commissioners was to apply a residential zone and where the zoning of the surrounding land is proposed to change under the IPI Plan Change. The variation proposes to apply zonings that are consistent with the proposed changes under the IPI Plan Change.

There are no qualifying matters relevant to this variation.

Variation 4 is recommended as the most appropriate means of achieving the implementation of policies 3 and 4 of the NPS-US and the MDRS within PC60 for the following lots:

Map No. (Under PC60)	Legal Description	Address	Proposed Zoning	Zoning Under PC60 Decision	Proposed New Zoning Under Variation 4
72	Part of Lot 251 DP 53183	R 24 Linwood Avenue Forrest Hill Auckland 0620	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
86	Lot 2 DP 88435	67 East Street Pukekohe Auckland 2120	Residential - Single House Zone	Residential - Single House Zone	Residential - Mixed Housing Urban Zone
87	Section 1 SO 430835	Princes Street West Pukekohe Auckland 2120	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
88	Lot 6 DP 16500	Paerata Road Pukekohe Auckland 2120	Residential - Single House Zone	Residential - Single House Zone	Residential - Mixed Housing Urban Zone
89	Lot 89 DP 19657	39R Pohutukawa Road Beachlands Auckland 2018	Residential - Single House Zone	Residential - Single House Zone	Residential - Low Density Residential Zone
90	Lot 11 DP 19523	17W Hawke Crescent	Residential - Single House Zone	Residential - Single House Zone	Residential - Low Density

		Beachlands Auckland 2018			Residential Zone
91	Lot 1 DP 190074	8 Magnolia Drive Waiuku Auckland 2123	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
94	Lot 46 DP 19985	5R Ferguson Street Mangere East Auckland 2024	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
100	Lot 167 DP 55383	50 Mayflower Close Mangere East Auckland 2024	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
105	Lots 133-135 DP 55383 and Lots 159-161 DP 55382	62 Mayflower Close Mangere East Auckland 2024	Open Space - Informal Recreation Zone, Road and Balance stays as Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone, Road and Balance stays as Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone, Road and Balance - Mixed Housing Urban Zone

1.0 Introduction

1. This report is prepared as part of the evaluation required by Section 32 and Sections 77J and 77L of the Resource Management Act 1991 ('the Act') for proposed Variation 4 (VAR4) to Plan Change 60 (PC60) to the Auckland Unitary Plan (Operative in Part) (AUP).

1.1 Section 32 Evaluation

2. Section 32 of the Act requires that before adopting any objective, policy, rule or other method, the Council shall carry out an evaluation to examine:
 - The extent to which each objective is the most appropriate way to achieve the purpose of the Act, and
 - Whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objective.
3. The evaluation must also take into account:
 - The benefits and costs of policies, rules, or other methods; and
 - The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

1.2 Section 77J Requirements

4. Section 77J Requirements in relation to an evaluation report requires that in addition to s32, the Council must consider, in relation to the proposed amendment to accommodate a qualifying matter the Council must:
 - demonstrate why the Council considers:
 - that the area is subject to a qualifying matter; and
 - that the qualifying matter is incompatible with the level of development permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 for that area; and
 - assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and
 - assess the costs and broader impacts of imposing those limits.
5. Furthermore, the evaluation report must include, in relation to the provisions implementing the MDRS:
 - a description of how the provisions of the district plan allow the same or a greater level of development than the MDRS;

- a description of how modifications to the MDRS as applied to the relevant residential zones are limited to only those modifications necessary to accommodate qualifying matters and, in particular, how they apply to any spatial layers relating to overlays, precincts, specific controls, and development areas, including
 - any operative district plan spatial layers; and
 - any new spatial layers proposed for the district plan.
6. The requirements above apply only in the area where Council is proposing to make an allowance for a qualifying matter.
 7. The evaluation report may describe any modifications to the requirements of section 32 necessary to achieve the development objectives of the MDRS.

1.3 Section 77L requirements

8. Section 77J Requirements in relation to an evaluation report states:

A matter is not a qualifying matter under section 77L(j) in relation to an area unless the evaluation report referred to in section 32 also—

- (a) identifies the specific characteristic that makes the level of development provided by the MDRS (as specified in Schedule 3A or as provided for by policy 3) inappropriate in the area; and
- (b) justifies 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) includes 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 permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 while managing the specific characteristics.

1.4 The evaluation approach

9. This section outlines how Variation 4 has been evaluated. The remainder of this report will follow the evaluation approach described in the table below. In accordance with section 32(6) of the RMA and for the purposes of this report:
 - i. the 'proposal' means Variation 4; and
 - ii. the 'objectives' means the purpose of Variation 4.

Table 1: The Evaluation Approach

Sections of this report	Evaluation Approach
Section 2: The Issue	This part of the evaluation will explain the resource management issue and why there is a need to resolve it.
Section 3: Objectives	This part of the evaluation will outline the objective of Variation 4.
Section 4: The evaluation process and scope	This part of the evaluation will outline the evaluation process and what is within scope/out of scope of Variation 4.
Section 5: Statutory evaluation	This part of the evaluation assesses the relevance of Variation 4 to Part 2 (sections 5-8) and other relevant parts / sections of the RMA.
Section 6: National and local planning context	This part of the evaluation assesses the relevance of Variation 4 against the national and local planning context.
Section 7: Development of options to address the issue	This part of the evaluation outlines the methodology and development of options for Variation 4, including the information used.
Section 8: Consultation	This part of the evaluation outlines the consultation undertaken in undertaking the evaluation.
Section 9: Evaluation of options	In accordance with section 32(1)(b) and (2) of the RMA, this part of the evaluation examines whether the options appropriately achieves the objectives of the AUP and the sustainable management purpose of the RMA. The options are assessed by their efficiency and effectiveness, costs, benefits and risks to resolve the RMA issue.
Section 10: Conclusion	This part of the report concludes that Variation 4 is the most efficient, effective and appropriate means of addressing the resource management issue identified.

10. This evaluation will continue to be refined through the variation/plan change process. For example, the Section 42A Hearing Report and evidence presented by submitters is part of this ongoing evaluation.

2.2 The Issue

2.1 Plan Change 60

11. Proposed Plan Change 60 ('PC60') has four components. These apply to 103 land parcels/groups of land parcels and seek to:
 - (a) Rezone 49 land parcels recently vested or acquired for open space purposes, so that the zoning of the land reflects its purpose and intended use;
 - (b) Correct 22 open space zoning errors (usually private land that has been incorrectly zoned as open space);
 - (c) Rezone 24 land parcels approved for disposal. (Note, three parcels have subsequently been withdrawn from PC60). These parcels are currently zoned as open space or shown as road in the AUP. They are proposed to be rezoned to either a residential or business zone, depending on the zoning of adjacent land; and
 - (d) Rezone 8 land parcels (or groups of land parcels) to enable redevelopment by Kāinga Ora and/or to improve the quality of open space or access to it.
12. New land parcels are either vested upon subdivision or acquired (through purchase) by Auckland Council as open space annually. The rezoning of recently vested or acquired land for open space purposes is necessary so that an appropriate zoning is applied to the land. The proposed zoning reflects the land's open space qualities and intended use and development (for open space/recreation purposes).
13. PC60 also includes corrections to some open space zoning errors and anomalies (a total of 22). These include privately owned land that has been zoned open space in error, open space that requires an appropriate zoning and situations where zonings do not follow cadastral boundaries. These errors and anomalies have been identified by either the general public or council staff.
14. PC60 also involves the rezoning of 23 council-owned parcels of land zoned open space (or road) that has been through the rationalisation process, identified as surplus or not having a service need and is approved for disposal by Auckland Council. Eke Panuku is a council-controlled organisation that resulted from the merging of Auckland Council Property Limited and Waterfront Auckland. One of the roles of Eke Panuku is the release of land or properties that can be better utilised by others. PC60 seeks to rezone these parcels to a zone compatible with appropriate future uses given they are no longer required for council purposes. In most cases this is the zone of the adjoining land.
15. PC60 also proposes to rezone eight land parcels or groupings of land parcels to:
 - a) enable redevelopment by Kāinga Ora
 - b) improve the quality of open space/access to open space
 - c) or in the case of privately owned land, to better reflect its current use (for example, as golf course or cemetery).
16. PC60 was publicly notified and was subsequently approved, with changes, by independent hearing commissioners on 1 August 2022.

2.2 Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021

17. The Resource Management Act 1991 (“**the Act**”) was amended by the introduction of the Resource Management (Enabling Housing Supply and Other Matters Amendment Act) 2021 and came into effect on 21 December 2021, after the submission period for PC60 had ended but before a decision on PC60 had been made.
18. As required by s34 of Schedule 12, Part 5 of the Transitional, savings, and related provisions of the Act, if a plan change was notified before the commencement date of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, but the decisions on submissions had not been notified and the plan change had not been withdrawn and the Medium Density Residential Standards (**MDRS**) were not incorporated through any proposed rules, then the Council must notify a variation to incorporate the MDRS as required by s77G(3) of the Act and give effect to policies 3 and 4 of the NPS-UD. Such a variation does not merge with the Council’s intensification planning instrument (**IPI**) but must be processed at the same time as the IPI, using the Intensification Streamlined Planning Process (**ISPP**).
19. Furthermore, in accordance with Policy 4 of the NPS-UD the Council may make the MDRS and the relevant building height or density requirements under Policy 3 of the NPS-UD less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone but only to the extent necessary to accommodate one or more of the qualifying matters listed in 77I or 77O or a specified, site specific qualifying matter under s77L.
20. To give effect to the NPS-UD and the MDRS, PC60 requires variation and amendment.

2.3 The Need for a Variation

21. Variation 4 seeks to rezone land that was subject to Plan Change 60 – Open Space and Other Rezoning Matters. Plan Change 60 sought to rezone a number of sites in the urban environment from an open space zone to a residential zone. The variation will seek to rezone the sites where the decision of the hearing commissioners was to apply a residential zone and where the zoning of the surrounding land is proposed to change under the IPI Plan Change. The variation proposes to apply zonings that are consistent with the proposed changes under the IPI Plan Change. There are ten sites that are subject to the variation.
22. Changes to zoning only require amendments to the zoning maps. No AUP text provisions are required to be amended.

3.0 Objective

23. The objective of the variation is to achieve the implementation of policies 3 and 4 of the NPS:UD and the MDRS within PC60 for those site that have been rezoned from open space to a residential zone and where the zoning of the surrounding land is proposed to change under the Proposed IPI Plan Change.

24. For some lots that fall into the above category, the zoning of the surrounding land is not proposed to change under the IPI. This variation is therefore limited to those sites where the “zoning context” is proposed to change.

4.0 The Evaluation Process and Scope

4.1 Outline of the evaluation process

25. The evaluation process is:

- Step 1 – Issue identification, including the scale and significance
- Step 2 – Determine the objectives of the evaluation
- Step 3 – Assess the statutory background and the national and regional planning context for relevance to the evaluation
- Step 5 – Development of options to address the issue
- Step 6 – Undertake consultation based on the options
- Step 8 – Evaluation of options
- Step 9 – Recommendations and reasons

4.2 What is in scope/ out of scope

26. Within scope of this evaluation is:

The zoning of those lots in PC60 that are being rezoned to a residential zone and where the zoning of the surrounding land is proposed to change under the IPI Plan Change.

27. All other matters are out of scope.

5.0 Statutory Evaluation under the RMA

28. Variation 4 to PC60 is a requirement of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Clause 34 of Schedule 12 of the Act states that:

34 *Status of partly completed proposed plan changes modifying relevant residential zone*

- (1) *This clause applies to any plan change that is proposing or requesting changes to a relevant residential zone or a new residential zone if—*
 - (a) *the plan change has been notified by a specified territorial authority before the commencement date, but decisions on submissions on that plan change have not been notified in accordance with clause 10 of Schedule 1 before that date; and*
 - (b) *the plan change has not been withdrawn; and*
 - (c) *the MDRS is not already being incorporated through any proposed rules.*
- (2) *The specified territorial authority must notify a variation to the plan change at the same time that it notifies the IPI to incorporate the MDRS as required by section 77G(3).*
- (3) *However, the variation does not merge with the specified territorial authority's IPI but must be processed at the same time as the IPI, using the ISPP.*
- (4) *The variation must incorporate the MDRS into all areas within the scope of the plan change that are a relevant residential zone or a new residential zone.*
- (5) *The variation may only include those uses referred to in section 80G(1)(b).*
- (6) *The variation may be declined or withdrawn only if it is no longer required for the plan change to meet the requirements of section 77G(1).*
- (7) *The variation must use the ISPP to incorporate the MDRS.*
- (8) *For the avoidance of doubt,—*
 - (a) *section 86B does not apply to any rules notified in the variation:*
 - (b) *this clause applies only in relation to the district of a specified territorial authority.*

77J Requirements in relation to evaluation report

- (1) *This section applies if a territorial authority is amending its district plan (as provided for in section 77G).*
- (2) *The evaluation report from the specified territorial authority referred to in section 32 must, in addition to the matters in that section, consider the matters in subsections (3) and (4).*
- (3) *The evaluation report must, in relation to the proposed amendment to accommodate a qualifying matter,—*
 - (a) *demonstrate why the territorial authority considers—*
 - (i) *that the area is subject to a qualifying matter; and*

- (ii) *that the qualifying matter is incompatible with the level of development permitted by the MDRS (as specified in Schedule 3A) or as provided for by 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.*
- (4) *The evaluation report must include, in relation to the provisions implementing the MDRS,—*
 - (a) *a description of how the provisions of the district plan allow the same or a greater level of development than the MDRS:*
 - (b) *a description of how modifications to the MDRS as applied to the relevant residential zones are limited to only those modifications necessary to accommodate qualifying matters and, in particular, how they apply to any spatial layers relating to overlays, precincts, specific controls, and development areas, including—*
 - (i) *any operative district plan spatial layers; and*
 - (ii) *any new spatial layers proposed for the district plan.*
- (5) *The requirements set out in subsection (3)(a) apply only in the area for which the territorial authority is proposing to make an allowance for a qualifying matter.*
- (6) *The evaluation report may for the purposes of subsection (4) describe any modifications to the requirements of section 32 necessary to achieve the development objectives of the MDRS*

29. Submissions on PC60 had closed (on the 1 March 2021) before the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 came into effect on 21 December 2021. However, a hearing had not been held and a decision on PC60 had not been made. Therefore, PC60 meets the requirements of clause 34 and accordingly a variation must be prepared and notified accordingly. As also specified in clause 34(7), the process that Variation 4 to PC60 must go through is to use the Intensification Streamlined Planning Process (**ISPP**) at the same time as the Council's intensification planning instrument (**IPI**) which will introduce the MDRS into the AUP.

30. It is considered that overall Variation 4 to PC60 is consistent with Part 2 of the Act as it incorporates the MDRS zoning changes.

31. No qualifying matters are associated with Variation 4.

32. Table 2 below, outlines the relevance of Variation 4 to PC60 to sections 5, 7 and 8 of the Act.

Table 2: Relevance of Variation 4 to PC60 to sections 5, 7 and 8 of the RMA

RMA 1991	Relevant section	Relevance to VAR5
S5 Purpose	All	VAR4 will assist people to provide additional housing on those lots that are being rezoned from open space to residential.
S7 Other matters	<p>(a) <i>the efficient use and development of natural and physical resources:</i></p> <p>(b) <i>the maintenance and enhancement of amenity values:</i></p> <p>(f) <i>maintenance and enhancement of the quality of the environment:</i></p> <p>(g) <i>any finite characteristics of natural and physical resources:</i></p>	VAR4 supports the efficient use of land and residential amenity as provided in the MDRS; and also maintains the quality of the environment and amenity as far as possible.
S8 Treaty of Waitangi	All	The principles of the Treaty of Waitangi (Te Tiriti o Waitangi) have been taken into account in preparing this variation.

6.0 National and Regional Planning Context

33. Variation 4 to PC60 has been assessed in respect of the following national and regional planning documents.

6.1 National Policy Statements

National Policy Statement on Urban Development 2020 (NPS-UD)

34. The NPSUD provides national direction on urban development. Of particular relevance are policies 3 and 4 which require Councils to enable prescribed levels of development throughout the city, by which MDRS is a means of implementing the policies, subject to the identification of qualifying matters under ss771, O or L which may result in MDRA building height or density requirements being less enabling.

35. It is considered that aligning the zoning of PC60 with the MDRS on those lots that are being rezoned from open space to residential is consistent with giving effect to the NPS-UD.

36. No qualifying matters are associated with Variation 4.

37. No other National Policy Statements are relevant to the consideration of Variation 4.

6.2 Other Acts

38. The Hauraki Gulf Marine Park Act and the Waitakere Ranges Heritage Area Act are not relevant to the consideration of Variation 4.

6.3 Regional Documents

Auckland Plan

39. It is considered that Variation 4 is consistent with the Auckland Plan. In respect of providing for housing the plan contains directions to develop a quality compact urban form to accommodate Auckland's growth and accelerate the construction of homes that meet Aucklanders changing needs and preferences.

Auckland Regional Policy Statement (RPS)

40. The relevant objectives and policies of the RPS are set out in Table 3 below.

Table 3: Relevant objectives and policies of the RPS

RPS Chapter	Relevant objective/policy	Relevance to VAR4
B2. Tāhuhu whakaruruhau ā-taone - Urban growth and form Tāhuhu whakaruruhau ā-taone	Objective B2.2.1(1) A quality compact urban form that enables all of the following: (a) a higher-quality urban environment; (b) greater productivity and economic growth; (c) better use of existing infrastructure and efficient provision of new infrastructure; (d) improved and more effective public transport; (e) greater social and cultural vitality; (f) better maintenance of rural character and rural productivity; and (g) reduced adverse environmental effects.	A more compact urban form will be enabled at higher residential densities as required by the MDRS for those lots that are being rezoned under the variation from open space to residential.
	Objective B2.2.1(2) Urban growth is primarily accommodated within the urban area 2016 (as identified in Appendix 1A).	VAR4 does not enable residential growth outside of the urban area 2016.

	Objective B2.2.1(3) Sufficient development capacity and land supply is provided to accommodate residential, commercial, industrial growth and social facilities to support growth.	VAR4 will provide more efficient use of the existing urban land resource by up zoning several lots.
	Policy B2.2.2 (4) (4) Promote urban growth and intensification within the urban area 2016 (as identified in Appendix 1A), enable urban growth and intensification within the Rural Urban Boundary, towns, and rural and coastal towns and villages, and avoid urbanisation outside these areas.	VAR4 does not enable residential growth outside of the urban area 2016.
	Objective B2.3.1 A quality built environment where subdivision, use and development do all of the following: (a) respond to the intrinsic qualities and physical characteristics of the site and area, including its setting; (b) reinforce the hierarchy of centres and corridors; (c) contribute to a diverse mix of choice and opportunity for people and communities; (d) maximise resource and infrastructure efficiency; (e) are capable of adapting to changing needs; and (f) respond and adapt to the effects of climate change.	VAR4 will enable a quality built environment to be achieved in accordance with the MDRS. The zoning of those lots that comprise this variation will be consistent with the zoning of the surrounding land (which is subject to the IPI Plan Change).
	Objective B2.4.1(1) Residential intensification supports a quality compact urban form.	A more compact urban form will be enabled at higher residential densities as required by the MDRS. VAR4 will enable a quality built environment to be achieved in accordance with the MDRS.
	Objective B2.4.1(2) Residential areas are attractive, healthy and safe with	Development will be enabled in keeping with the MDRS.

	quality development that is in keeping with the planned built character of the area.	
	Objective B2.4.1(3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.	The rezoning of land under this variation is in accordance with the rezoning principles contained in the NPS:UD and implemented by the IPI Plan Change.
	Objective B2.4.1(4) An increase in housing capacity and the range of housing choice which meets the varied needs and lifestyles of Auckland's diverse and growing population.	VAR4 will provide more efficient use of the existing urban land resource.
	Policy B2.4.2(1) Provide a range of residential zones that enable different housing type	The range of residential zones will remain the same as currently under the AUP but the extent of the THAB and Mixed Housing Urban zones will increase significantly as required by the implementation of the MDRS.
	Policy B2.4.2(3) Provide for medium residential intensities in area that are within moderate walking distance to centres, public transport, social facilities and open space.	The rezoning of land under this variation is in accordance with the rezoning principles contained in the NPS:UD and implemented by the IPI Plan Change.
	Policy 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; or (b) that are subject to significant natural hazard risks;	VAR4 avoids intensification in the areas specified.

	where such intensification is inconsistent with the protection of the scheduled natural or physical resources or with the avoidance or mitigation of the natural hazard risks.	
	Policy B2.4.2(6) Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification	The application of the MDRS will increase demand for infrastructure.
	Policy B2.4.2(8) Recognise and provide for existing and planned neighbourhood character through the use of place-based planning tools.	The rezoning of land under this variation is in accordance with the rezoning principles contained in the NPS:UD and implemented by the IPI Plan Change. The MDRS standards will enable a more intensive character of housing to be achieved. This is in accordance with the NPS:UD.
	Policy B2.4.2(9) Manage built form, design and development to achieve an attractive, healthy and safe environment that is in keeping with the descriptions set out in placed-based plan provisions.	The implementation the MDRS will enable built form and design to be managed.
	Policy B2.4.2(9) Enable a sufficient supply and diverse range of dwelling types and sizes that meet the housing needs of people and communities, including: (a) households on low to moderate incomes; and (b) people with special housing requirements.	The implementation the MDRS will enable an increase in the supply of housing.

7.0 Development of Options

7.1 Methodology

41. This methodology section is about how Variation 4 was developed. As noted in the discussion above Variation 4 is a direct requirement of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 and the requirement to incorporate the MDRS. As PC60 has just recently been heard and decided, the approach taken in developing this variation is to do what is necessary to implement the MDRS for those lots that are being rezoned from open space to residential.
42. This has involved reviewing the PC60 Decision and making decisions on whether and how zoning should be amended; and determining whether there are any qualifying matters applicable that would limit the density of development on the land subject to PC60.
43. No qualifying matters were identified as relevant to the consideration of what zoning should be applied to the land.
44. Variation 4 amends PC60 as follows:

Table 4: Sites subject to the variation

Map No. (Under PC60)	Legal Description	Address	Proposed Zoning	Zoning Under PC60 Decision	Proposed New Zoning Under Variation 4
72	Part of Lot 251 DP 53183	R 24 Linwood Avenue Forrest Hill Auckland 0620	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
86	Lot 2 DP 88435	67 East Street Pukekohe Auckland 2120	Residential - Single House Zone	Residential - Single House Zone	Residential - Mixed Housing Urban Zone
87	Section 1 SO 430835	Princes Street West Pukekohe Auckland 2120	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
88	Lot 6 DP 16500	Paerata Road Pukekohe Auckland 2120	Residential - Single House Zone	Residential - Single House Zone	Residential - Mixed Housing Urban Zone
89	Lot 89 DP 19657	39R Pohutukawa Road Beachlands Auckland 2018	Residential - Single House Zone	Residential - Single House Zone	Residential - Low Density Residential Zone

90	Lot 11 DP 19523	17W Hawke Crescent Beachlands Auckland 2018	Residential - Single House Zone	Residential - Single House Zone	Residential - Low Density Residential Zone
91	Lot 1 DP 190074	8 Magnolia Drive Waiuku Auckland 2123	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
94	Lot 46 DP 19985	5R Ferguson Street Mangere East Auckland 2024	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
100	Lot 167 DP 55383	50 Mayflower Close Mangere East Auckland 2024	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
105	Lots 133-135 DP 55383 and Lots 159-161 DP 55382	62 Mayflower Close Mangere East Auckland 2024	Open Space - Informal Recreation Zone, Road and Balance stays as Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone, Road and Balance stays as Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone, Road and Balance - Mixed Housing Urban Zone

7.2 Information Used

45. Table 4 below lists the reports, documents, evidence, plan versions et al that have been used to assist with the development of Variation 4 to PC60.

Table 5: Information used

Name of document, report, plan	How did it inform the development of Variation 4
Resource Management Act 1991	Specifies the requirements for a Section 32 Evaluation and the process for a plan change or variation.
National Policy Statement: Urban Development	Provides national direction on urban development. Of particular relevance are policies 3 and 4 which require Councils to enable prescribed levels of development throughout the city, by which MDRS is a means of implementing the policies.
Enabling Housing Supply Amendment Act and Other Matters 2021	Contains the Medium Density Residential Standards (MDRS) referred to above.
Auckland Unitary Plan Operative In Part 2016	Contains the Regional Policy Statement – B2 - Urban growth and form, against which the proposed variation needs to be assessed.
Auckland Plan 2050 (refresh)	Contains outcomes and directives relating to urban growth & housing against which the proposed variation needs to be assessed.
S42A Hearing Report – Plan Change 60	Contains the purpose of PC 60 and the background behind, and objectives of the plan change.
Decision – PC60	Identifies which lots are required to be the subject of this variation

7.3 The Options

46. The reasons for Variation 4 relate to the requirement of the RMA, as amended by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, to notify a variation to give effect to policies 3 and 4 of the NPS-UD and incorporate the MDRS in the PC60 zoning.
47. As the purpose of Variation 4 to PC60 is to implement Policies 3 and 4 of the NPS-UD and the MDRS any other changes to PC60 not achieving that purpose are out of scope.
48. The range of options available to the Council are limited due to the directive nature of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, the NPS-UD and MDRS. However, it is considered that the following two

options best describe the range of actions open to Council. The following options were therefore considered in the preparation of VAR5.

49. Option 1 is the status quo or do nothing option. Under this option PC60 would not be varied and the requirements of the Resource Management (Enabling Housing Supply and Other Matters Amendment Act) 2021, NPS-UD and MDRS would not be met for those ten lots that are being rezoned from open space to residential and where the surrounding zonings is proposed to be changed by the IPI Plan Change. As a result, PC60 could not likely be adopted by Council and the zoning over 10 lots would remain as per the decision.
50. Option 2 is to introduce VAR4 as proposed. This would amend the zoning of the following land parcels to be reflective of the proposed new zoning of the surrounding land under the IPI Plan Change.

8.0 Consultation

51. Schedule 1 of the Resource Management Act 1991 contains the process for the preparation, change and review of policy statements and plans.
52. *Clause 3(1)(d) of Schedule 1 to the RMA, states that local authorities shall consult with tangata whenua of the area who may be so affected, through iwi authorities, during the preparation of a proposed policy statement or plan.*
53. *Due to the nature and scale of the IPI Plan Change and the fact that it affects the entire region, all iwi were consulted with on the content of the plan change.*
54. *Clause 4A of Schedule 1 to the RMA states that local authorities must:*
- Provide a copy of a draft proposed policy statement or plan to iwi authorities to consider
 - Have regard to feedback provided by iwi authorities on the draft proposed policy statement or plan
 - Provide iwi authorities with sufficient time to consider the draft policy statement or plan.
55. In addition to the above, recent legislation changes to the RMA introduced section 32(4A):
- (4A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—*
- (a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*
 - (b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.*
 - (c) a summary of all advice received from iwi authorities on the PC (section 32 (4)(a) of the RMA).*

56. From October 2021, Mana Whenua groups recognised by Auckland Council: Mana Whenua forums, co-governance and co-management entities were engaged with throughout the course of the council's development of IPI and non-IPI plan changes.
57. Consultation also occurred with the Auckland Council's local boards, the community and key stakeholders, including Internal consultation with relevant subject matter experts.
58. The consultation undertaken with iwi, local boards, the community and key stakeholders is summarised in the IPI Plan Change Section 32 Evaluation report.
59. Additional consultation specifically on Variation 4 to Plan Change 60 was undertaken in the form of a letter to iwi advising of the variation and its implications and a subsequent hui.

9.0 Evaluation of Options

60. **Table 6** below describes the criteria used to evaluate the options; and provides an elevation of the options.

Table 6: Criteria used to evaluate the options

	Option 1 - Status Quo (do nothing)	Option 2 – VAR4 (Rezone those lots that are proposed to have a residential lot to the new IPI zone, where relevant)
Appropriateness	This option is not considered to be appropriate as it is contrary to the direction within the RMA to notify a variation.	This option is considered to be appropriate as it amends the zoning of land within PC60 to be reflective of the zoning of the surrounding land under the Proposed IPI Plan Change.
Effectiveness	This option is not likely to be effective as PC60 is unlikely to be able to be adopted by the Council given it would not give effect to the MDRS.	This option is likely to be effective in that it will give effect to the MDRS.
Efficiency	This option would not be efficient as it would not enable more intensive residential development of the land.	This option is likely to be relatively efficient in the use of land as it incorporates the MDRS and provides for additional residential development in accordance with the IPI Plan Change.
Costs	There are likely to be litigation and other costs associated with pursuing an option not provided for in the Act.	The amenity / environmental costs of this option will be commensurate with the costs imposed by the MDRS.

	Option 1 - Status Quo (do nothing)	Option 2 – VAR4 (Rezone those lots that are proposed to have a residential lot to the new IPI zone, where relevant)
	The cost to the owners and developers of the land will be around delays in achieving certainty and the inability to develop the land as they seek to. There are unlikely to be any significant environmental or amenity costs compared to the existing situation.	The costs to land owners or developers will likely be reduced through reduced resource consent requirements and greater development opportunities.
Benefits	The benefits of this option are that the PC60 decision is final and additional costs associated with a variation are not required.	The incorporation of the MDRS will create the benefit of increased housing with fewer restrictions and resource consent costs.
Risks	There are considerable legal risks with this option. The amendments to the Act require that the Council notifies a variation to give effect to the MDRS.	The risks of proceeding with this option are that the decision on PC60 is effectively reopened for submission and debate for those lots that are the subject of the variation.
	Not Recommended	Recommended Option

61. In summary it is considered that Option 1, doing nothing, is not appropriate as this would not result in the implementation of the MDRS and carries considerable risk of litigation in respect of failure to implement the requirements of the RMA.

62. The preferred option is a variation to PC60 that amends the plan change in respect of the ten sites where the surrounding zoning is proposed to be changed through the IPI Plan Change. This will enable zones that incorporate the MDRS.

10.0 Conclusion

63. Overall, it is concluded that Variation 4 is the most appropriate means of achieving the implementation of policies 3 and 4 and the MDRS within PC60 for the following sites:

Map No. (Under PC60)	Legal Description	Address	Proposed Zoning	Zoning Under PC60 Decision	Proposed New Zoning Under Variation 4
72	Part of Lot 251 DP 53183	R 24 Linwood Avenue Forrest Hill Auckland 0620	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
86	Lot 2 DP 88435	67 East Street Pukekohe Auckland 2120	Residential - Single House Zone	Residential - Single House Zone	Residential - Mixed Housing Urban Zone
87	Section 1 SO 430835	Princes Street West Pukekohe Auckland 2120	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
88	Lot 6 DP 16500	Paerata Road Pukekohe Auckland 2120	Residential - Single House Zone	Residential - Single House Zone	Residential - Mixed Housing Urban Zone
89	Lot 89 DP 19657	39R Pohutukawa Road Beachlands Auckland 2018	Residential - Single House Zone	Residential - Single House Zone	Residential - Low Density Residential Zone
90	Lot 11 DP 19523	17W Hawke Crescent Beachlands Auckland 2018	Residential - Single House Zone	Residential - Single House Zone	Residential - Low Density Residential Zone
91	Lot 1 DP 190074	8 Magnolia Drive Waiuku Auckland 2123	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
94	Lot 46 DP 19985	5R Ferguson Street Mangere East Auckland 2024	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
100	Lot 167 DP 55383	50 Mayflower Close Mangere East Auckland 2024	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
105	Lots 133-135 DP 55383 and Lots 159-161 DP 55382	62 Mayflower Close Mangere East Auckland 2024	Open Space - Informal Recreation Zone, Road and Balance stays as Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone, Road and Balance stays as Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone, Road and Balance - Mixed Housing Urban Zone

11.0 List of Attachments

Attachment	Name of Attachment
A1	Spreadsheet of Proposed Zoning Changes Under Variation 4
A2	Proposed Map Changes Under Variation 4

Attachment A1 - Spreadsheet of Proposed Zoning Changes Under Variation 4

Map No. (Under PC60)	Legal Description	Address	Proposed Zoning	Zoning Under PC60 Decision	Proposed New Zoning Under Variation 4
72	Part of Lot 251 DP 53183	R 24 Linwood Avenue Forrest Hill Auckland 0620	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
86	Lot 2 DP 88435	67 East Street Pukekohe Auckland 2120	Residential - Single House Zone	Residential - Single House Zone	Residential - Mixed Housing Urban Zone
87	Section 1 SO 430835	Princes Street West Pukekohe Auckland 2120	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
88	Lot 6 DP 16500	Paerata Road Pukekohe Auckland 2120	Residential - Single House Zone	Residential - Single House Zone	Residential - Mixed Housing Urban Zone
89	Lot 89 DP 19657	39R Pohutukawa Road Beachlands Auckland 2018	Residential - Single House Zone	Residential - Single House Zone	Residential - Low Density Residential Zone
90	Lot 11 DP 19523	17W Hawke Crescent Beachlands Auckland 2018	Residential - Single House Zone	Residential - Single House Zone	Residential - Low Density Residential Zone
91	Lot 1 DP 190074	8 Magnolia Drive Waiuku Auckland 2123	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
94	Lot 46 DP 19985	5R Ferguson Street Mangere East Auckland 2024	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
100	Lot 167 DP 55383	50 Mayflower Close Mangere East Auckland 2024	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Suburban Zone	Residential - Mixed Housing Urban Zone
105	Lots 133-135 DP 55383 and Lots 159-161 DP 55382	62 Mayflower Close Mangere East Auckland 2024	Open Space - Informal Recreation Zone, Road and Balance stays as Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone, Road and Balance stays as Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone, Road and Balance - Mixed Housing Urban Zone

Attachment A2 – Proposed Map Changes Under Variation 4