



19 December 2025

## **Ministry of Housing and Urban Development submission on Plan Change 120: Housing Intensification and Resilience**

1. This is a submission on Proposed Plan Change 120: Housing Intensification and Resilience (PC120) by the Ministry of Housing and Urban Development (HUD).
2. HUD could not gain an advantage in trade competition through this submission.
3. HUD supports PC120 in part and seeks relief as outlined in this submission.
4. HUD acknowledges and appreciates the substantial work undertaken by the Council to develop PC120 under tight timing constraints, and the significant step forward PC120 represents relative to the Auckland Unitary Plan in many respects.

### **HUD leads the New Zealand Government's housing and urban development work programme**

5. HUD is central government's primary advisor on housing and urban development. We provide advice on system strategy, policy, and regulation, and we fund a range of programmes to deliver housing and urban development where it is most needed. We also regulate community housing providers, monitor the performance of Kāinga Ora and the Tāmaki Regeneration Company, and collect data and insights to inform decisions and monitor progress towards long-term outcomes. HUD leads advice on and delivery of the Government's Going for Housing Growth agenda, where we work with other agencies and our stakeholders to address the underlying causes of the housing crisis. As part of this, we co-lead urban planning policy and regulation in the resource management system with the Ministry for the Environment.
6. The National Policy Statement on Urban Development 2020 (NPS-UD) and the Auckland housing planning instrument provisions in the Resource Management (Consenting and Other System Changes) Amendment Act 2025 (RM-COSC) are legislative requirements that support positive housing and urban development outcomes.
7. As the steward of the housing and urban development system with the policy responsibilities outlined above, HUD has a particular interest in how PC120 will uphold these legislative requirements, and also more broadly an interest in how PC120 will enable housing supply, provide capacity for business use, and support a well-functioning urban environment.
8. HUD administers certain parcels of Crown land held for housing through the Land for Housing Programme, which was established in 2017 to improve housing supply,



including affordable, social, build-to-rent and progressive home ownership homes. The programme facilitates new supply by acquiring vacant and underutilised sites for residential development in partnership with iwi and the private sector. In this role, HUD has an interest in enabling these parcels for housing development, particularly where the public purpose (and administration) has changed within government, requiring zoning updates to reflect this change. For the purpose of this submission, HUD is referred to as the owner of the relevant parcels, which it administers on behalf of the Crown as public work (State housing purposes).

### **HUD seeks changes to PC120**

9. HUD's submission is in four parts:
  - a. Part One: Changes to achieve the policy intent of RM-COSC and NPS-UD, and better support positive housing and urban development outcomes across Auckland
  - b. Part Two: Land for Housing Programme: Ex-MIT North Campus Site
  - c. Part Three: Land for Housing Programme: Ex-MIT South Campus Site
  - d. Part Four: Land for Housing Programme: Wairaka (Te Auaunga) Precinct

### **HUD wishes to be heard in support of its submission**

10. HUD may seek to be heard in support of its submission. If others make a similar submission, HUD will consider presenting a joint case at a hearing.

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# Part One: Changes to achieve the policy intent of RM-COSC and NPS-UD and better support positive housing and urban development outcomes across Auckland

## EXECUTIVE SUMMARY

11. Part One seeks a range of changes to PC120 to achieve the policy intent of RM-COSC and NPS-UD and better support positive housing and urban development outcomes across Auckland.
12. Part One is comprised of:
  - a. Analysis and justification for the broad changes sought by HUD; and
  - b. Table One, which seeks specific relief.

### *HUD supports PC120's increase in development capacity including in high-demand locations*

13. HUD strongly supports the significant increase in total capacity enabled through PC120 and the specific increase in capacity enabled in higher-demand, higher-accessibility areas. There is significant evidence that increasing development capacity results in increased housing supply, lower prices and rents relative to the counterfactual, increased productivity and economic growth, and overall improved outcomes for people and communities.
14. Nevertheless, HUD is concerned that the overall policy intent of the RM-COSC and NPS-UD is undermined by some of the specific provisions in PC120, and some of the analysis in the Section 32 reports which inform these provisions. Our submission makes some suggestions to address this.

### *HUD seeks some changes to PC120 to better achieve the intent of the RM-COSC and remove provisions where costs are likely to exceed benefits*

15. HUD suggests changes to a range of objectives, policies, standards, and matters of discretion across residential and business zones on the basis that:
  - a. Some PC120 provisions, particularly in the Terrace Housing and Apartment Buildings (THAB) zone and business zones, have the effect of reducing enabled and feasible capacity. This includes standards such as tower dimension controls, setbacks, and outlook requirements. These zones are generally located in high demand areas that are close to employment, services, transport, or other amenities. We consider that many of these provisions restrict capacity in a way that is arguably contrary to the policy intent of the RM-COSC, and the costs of many of these provisions are likely to outweigh the benefits. We also suggest some changes in lower density residential zones, such as a more enabling height-in-relation to boundary standard in the Mixed Housing Urban zone.
  - b. Matters internal to a site, such as outdoor living space requirements and minimum dwelling size, generally do not need to be regulated for in the Auckland Unitary Plan. We consider that matters such as this are better addressed through a market-driven approach, or through other legislation (such as the Building Act 2004), where there are genuine human health and safety considerations.

- c. Visual amenity / external-appearance matters, such as the 'attractiveness' of a development, or the visual dominance of garage doors, do not need to be regulated, as these are subjective matters regarding which reasonable people can disagree as to preferences.

16. HUD also suggests that:

- a. Most small-scale commercial activities could be permitted in the Terrace Housing and Apartment Buildings zone, and some specified small-scale commercial uses such as dairies and cafes could be permitted in the Mixed Housing Urban zone. Provisions intended to enforce centres hierarchies could also be removed. These changes would promote competition, choice, and more liveable neighbourhoods.
- b. The threshold for imposing special character constraints could be raised to only protect the most exceptional sites, due to strong evidence of the high costs of special character provisions relative to the benefits, particularly in areas with high levels of access to jobs, transport, and amenity.
- c. Consideration should be given to whether the rationale for each Maunga Viewshaft and Height and Building Sensitive Area remains sufficiently strong to justify the retention of each protection, or whether the spatial extent could be altered to retain the benefits of the protections at a lower economic cost.
- d. Te Ara Hauāuru – the planned Northwest busway should be upzoned in accordance with Policy 3(c)(i) of the NPS-UD.
- e. The approach to natural hazards could be refined, including to enable the best available information to be considered at the resource consent stage.

## **SUBMISSION**

**There is significant evidence that increasing development capacity results in increased housing supply, lower prices and rents, increased productivity and economic growth, and overall improved outcomes for people and communities**

*Freeing up land for development is a core aspect of the Government's Going for Housing Growth work programme*

- 17. The Government's Going for Housing Growth programme recognises the national need to free up land for urban development (both 'up' and 'out'), including removing unnecessary planning barriers. This programme is underpinned by a wealth of evidence as to the link between increased housing capacity and improved housing supply and affordability.
- 18. Freeing up land for development is particularly important in Auckland. As New Zealand's largest city, the functioning of Auckland's housing and land markets is critically important to the whole country, and enabling abundant housing and business capacity is a fundamental part of this. As such, HUD strongly supports the significant increase in total capacity enabled through PC120 and the specific increase in capacity enabled in higher-demand, higher-accessibility areas.

*There is significant evidence as to the benefits of increased development capacity for housing*

19. There is significant evidence that increased housing supply relative to demand reduces prices and rents, including in Auckland specifically. For example:
  - a. Research by Greenaway-McGrevy and So found that earlier upzoning in Auckland via the Auckland Unitary Plan led to reductions in rents of approximately 28 per cent relative to the counterfactual.<sup>1</sup>
  - b. Research through the Housing Technical Working Group (a collaboration between HUD, the Reserve Bank, and the Treasury) found that a 1% increase in the average number of people in each home leads to a 1.5% increase in rents at the national level – that is, rents rise when there isn't enough housing to meet demand.<sup>2</sup>
20. The evidence that additional zoned capacity increases the rate of construction and so changes the balance of housing supply and demand is also very strong. For example:
  - a. Research by Greenaway-McGrevy estimates that the upzoning via the Auckland Unitary Plan led to an additional 43,500 consents within six years, or approximately 9% of the dwelling stock.<sup>3</sup>
  - b. Research by Greenaway-McGrevy and Maltman found that upzoning in Lower Hutt generated a three-fold increase in consents per capita and nearly tripled the number of building consents over the six years subsequent to the onset of the reforms.<sup>4</sup>
  - c. Research from the Housing Technical Working Group<sup>5</sup>, and Te Waihanga<sup>6</sup>, also provides evidence as to the positive impacts of zoning on housing supply.
21. Increasing development capacity fundamentally supports productivity and economic growth, and consequently the wellbeing of people and communities. More housing near employment centres reduces commuting times, improves labour market matching, and enables agglomeration benefits that drive higher productivity.<sup>7</sup> This doesn't mean we need to try to perfectly predict where productivity will be highest; in general, people are

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<sup>1</sup> Greenaway-McGrevy, R., & So, Y. (2024). *Can Zoning Reform Reduce Housing Costs? Evidence from Rents in Auckland*. University of Auckland Economic Policy Centre: Working Paper No. 016. Retrieved from: <https://www.auckland.ac.nz/assets/business/our-research/docs/economic-policy-centre/Can%20Zoning%20Reform%20Reduce%20Housing%20Costs.%20Evidence%20from%20Rents%20in%20Auckland.pdf>

<sup>2</sup> Bentley, A., Cassino, E., & Ngo, N. (2023). *What Drives Rents in New Zealand? National and Regional Analysis*. Retrieved from: <https://www.treasury.govt.nz/publications/jp/what-drives-rents-new-zealand-national-and-regional-analysis>

<sup>3</sup> Greenaway-McGrevy, R. (2023). *Can Zoning Reform Increase Housing Construction? Evidence from Auckland*. University of Auckland Economic Policy Centre: Working Paper No. 017. Retrieved from: <https://www.auckland.ac.nz/assets/business/our-research/docs/economic-policy-centre/Working%20paper%2017.pdf>

<sup>4</sup> Greenaway-McGrevy, R., & Maltman, M. (2024). *Going it alone: The impact of upzoning on housing construction in Lower Hutt*. *Journal of Housing Economics*, 67(2025). Retrieved from: <https://doi.org/10.1016/j.jhe.2024.102032>

<sup>5</sup> Valiente, M., Coleman, A., Ngo, N., & Parker, C. (2024). *Analysis of availability of land supply in Auckland*. Retrieved from: <https://www.treasury.govt.nz/publications/jp/analysis-availability-land-supply-auckland> and Housing Technical Working Group (2022). *Assessment of the Housing System: with insights from the Hamilton-Waikato Area*. Retrieved from:

<https://www.treasury.govt.nz/publications/jp/assessment-housing-system-insights-hamilton-waikato-area>

<sup>6</sup> Te Waihanga. (2022). *The decline of housing supply in New Zealand: Why it happened and how to reverse it*. Retrieved from: <https://tewaihanga.govt.nz/media/ekejy0t1/the-decline-of-housing-supply-in-new-zealand.pdf>.

<sup>7</sup> See, for example, Auckland Council. (2025). *More homes near jobs and transport key to lifting Auckland's economy*. Retrieved from: <https://ourauckland.aucklandcouncil.govt.nz/news/2025/09/more-homes-near-jobs-and-transport-key-to-lifting-auckland-s-economy/>

well motivated to choose locations which increase their incomes, and enabling more capacity everywhere makes it more likely that they will be able to find locations and jobs in which they are most productive (and so most well compensated). Similarly, more development capacity for both homes and businesses means that firms can locate in places that give them the best access to the skills, knowledge, and markets they need to grow.

22. Even when aggregate enabled capacity is greater than projected demand, enabling additional capacity will generally still increase the rate of new supply. This is the case for several reasons, including because a large proportion of enabled capacity will not be taken up; whether because existing owners do not want to develop or because other constraints prevent them from doing so. In other words, theoretical capacity (even that which is assessed as feasible) does not equal realised supply, so additional zoning flexibility remains valuable even in apparently “oversupplied” scenarios.
23. More generally, HUD strongly cautions against simplistic comparisons of demand with capacity and instead recommends focusing on ensuring that PC120 provides an abundance of development opportunities. Providing abundant development opportunities means more competition between incumbent landowners, reducing costs for developers. This competitive dynamic lowers land prices and improves feasibility.

*The analysis underpinning PC120 underestimates the costs of restricting development capacity*

24. In line with the above, HUD disagrees with the approach taken in the PC120 Economy Matters Section 32 report. The report tests projected demand at the Local Board and SA2 levels against enabled capacity at those scales, with the aim of demonstrating that there is sufficient enabled capacity in each distinct housing market. This forms a crucial piece of the evidence on the broader costs and impacts of applying Qualifying Matters and other controls which reduce enabled capacity in those Local Board and SA2 areas.
25. HUD’s view is that the approach taken is inappropriate for two reasons:
  - a. Firstly, as noted above, enabling additional capacity will have a positive effect even when there is sufficient capacity to cover projected demand. While the Section 32 acknowledges this to some extent, conclusions such as that “QMs are not likely to manifest as lesser levels of development than would otherwise be the case” tend to understate the marginal effect of additional capacity.
  - b. Secondly, HUD disagrees that either Local Board Area or SA2-level population projections are appropriate single measures of the demand to live in those areas. Local Board Areas are too relatively large to be considered single housing markets, while SA2 areas are too small. Population projections at such small geographical areas – in the low thousands of people – are very difficult to make accurate. Also, the assumed population growth projections are largely based on past growth, which in many of the relevant SA2 areas will have been constrained by the exact housing supply constraints which the population projections are being used to evaluate.
26. While these factors do not totally invalidate the approach of testing enabled capacity against population growth projections, HUD’s view is that this should be coupled with other measures of potential housing demand – such as land values. This would be to follow, for example, the approach taken by Auckland Council’s Chief Economist’s Unit

(see for example ‘Where Auckland Wants to Live’<sup>8</sup>). The Economy Matters Section 32 report suggests that price per dwelling is preferable to land values. In HUD’s view this is out of step with the expert consensus. Higher-density housing allows households to use land more efficiently, letting groups of lower-income households compete against wealthy households. This results in higher land values on a per metre-squared basis, but lower price per dwelling. The willingness to share land by building vertically does not indicate that a place is less valued: rather, it can indicate that it is more highly desired.<sup>9</sup> HUD’s view is that land values are a more appropriate measure of demand to live in a given area, and that they are therefore a better complement to population projections. This would indicate that demand to live in the more desirable SA2 areas of Auckland is higher, and the cost of limiting capacity higher, than the Economy Matters Section 32 report estimates.

27. For the above reasons, HUD’s view is that the Economy Matters Section 32 has substantially underestimated the impacts and costs of restricting development capacity, especially but not exclusively in high-demand areas. This view informs our submission points below.

### **PC120 must comply with legislated capacity requirements**

28. As noted above, HUD strongly supports the significant increase in capacity enabled through PC120.
29. The RM-COSC provides that Plan Change 120 must provide at least the same amount of housing capacity that would have been enabled if Plan Change 78 (as notified) were made operative. We note that Auckland Council modelling indicates that PC120 has a small shortfall in capacity relative to PC78 of 0.2%, or 4,238 dwellings. While marginal in the context of the capacity enabled by PC120 in aggregate (and subject to the modelling assumptions employed), we emphasise the requirement to avoid any capacity shortfall in the final plan change adopted. This means that, in the course of considering changes to PC120 as notified, any reductions in capacity (whether via changes to the spatial application of zones or changes to controls within zones) must be offset (and, in aggregate, slightly outweighed) by changes to increase capacity.

### **Some PC120 provisions have the effect of reducing capacity in areas of high demand, contrary to the policy intent of the RM-COSC, and the cost of these provisions likely outweighs their benefits**

30. HUD supports proposed changes in PC120 to enable greater heights and densities. This includes the enablement of heights of at least six storeys in walkable catchments of the city and metropolitan centres and rapid transit stops, and of at least ten or fifteen in specified stops benefiting from investment in the City Rail Link, as required by the NPS-UD and RM-COSC. HUD also supports the broadened application of Terrace Housing and Apartment Buildings (THAB) zoning to places which are close to services or well-connected to transit.

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<sup>8</sup> Blick, G., Li, C., & Stewart, J. (2025). *Where Auckland Wants to Live: What land values tell us about demand for housing*. Retrieved from: <https://knowledgeauckland.org.nz/publications/where-auckland-wants-to-live/>

<sup>9</sup> Land values in the inner suburbs of Auckland are, if anything, likely to be underestimated, since existing planning constraints reduce the option value of those sites currently covered by overlays – by effectively preventing lower income households from competing and bidding up prices. Even with this caveat, land values are significantly higher closer to the central city.

### *A number of provisions in PC120 limit practical and feasible densities*

31. HUD notes that PC120 retains, or introduces, a range of objectives, policies, standards, and matters of discretion intended to manage what Auckland Council considers could otherwise result in adverse effects on the amenity of areas which have had height limits increased. Some are addressed as part of the Built Form Standards in the Residential - Terrace Housing and Apartment Buildings and relevant business zones qualifying matter, while others are not specifically treated as qualifying matters in the plan.
32. HUD's view is that the Built Form Standards qualifying matter is not supported by analysis which examines a sufficient range of options or accurately assesses its costs. As noted above, we consider that the PC120 supporting documents in general underestimate the impacts of reducing capacity, especially in well located places. However, regardless of whether the Section 32 reports are adequate, HUD's view is that these standards could be improved in order to enable more capacity and to improve feasibility. For the purposes of this submission HUD has focused on standards in business zones, and the THAB and Mixed Housing Urban zones, on the understanding that these are generally the best located and are where restrictions on capacity and feasibility will be most harmful.
33. The currently-proposed controls in the THAB and some business zones, including standards such as height-in-relation-to-boundary, tower dimension, setbacks and outlook requirements, are likely to mean that taller buildings, particularly those above six storeys, will not be able to be built without site amalgamation in many of the areas where they make the most sense, including areas subject to explicit 10- or 15- storey height requirements in the RM-COSC. HUD notes that the Section 32 report for the Built Form standards qualifying matter explicitly states that in most cases building up to ten storeys would require amalgamation of two sites, while building above ten storeys would require amalgamation of three sites. Even where taller buildings can practically be built, the standards imposed may impose significant barriers to commercial feasibility.
34. There are also a number of matters of discretion that we consider are also likely to work against the intent of the NPS-UD and RM-COSC in providing an enabling framework for development. While matters of discretion can provide flexibility and an ability to respond to the specific context of a development, they also increase costs and uncertainty for developers, and there is a real risk that the exercise of discretion by consenting officials may not reflect actual market preferences. If it is considered that there are relevant externalities that may not be addressed if a particular matter of discretion is removed, HUD would generally prefer the externality to be addressed by replacing the matter of discretion with a clear standard, as this provides better certainty for developers and reduces costs by reducing the risk of an iterative process.

### *Removing or amending some provisions would better achieve the policy intent of the NPS-UD and RM-COSC*

35. As set out in Table One, we suggest that a number of objectives, policies, standards, and matters of discretion could be removed or modified in the above zones, so as to:
  - a. better give effect to the intent of the NPS-UD and RM-COSC; and
  - b. reflect, as discussed above, that the costs of limiting density in high-demand areas are underestimated in the PC120 supporting documents, and HUD's view that enabling greater housing and building intensity in these well-located areas would have higher regional and national benefits than those anticipated by Auckland Council.

36. This includes the removal of front, side and rear setbacks and removal or reduction of outlook space requirements in the THAB and MHU zones; removal of tower dimension and height-in-relation to boundary controls within the THAB zone; and removal or narrowing of a range of matters of discretion across a range of zones.
37. HUD accepts that removal or modification of these controls may, in some cases, result in increased effects of development on neighbouring sites. However, we do not consider it has been established that the benefits of these controls outweigh their costs in terms of reducing the practicality and feasibility of medium-to-high density developments in high-demand, high-accessibility locations.<sup>10</sup> The settings in the RM-COSC reflect explicit decisions by Parliament to prioritise the enablement of medium-to-high density development in high-demand, high-accessibility locations and in HUD's view this direction should be given effect to not just through heights enabled but also through the objectives, policies, standards and matters of discretion provided for in residential and business zones.

### **Matters internalised to the property owner do not need to be regulated for in the Auckland Unitary Plan**

38. A range of zones within PC120 contain objectives, policies, standards, and matters of discretion that appear to predominantly relate to matters internal to a site. This includes matters such as the size of living areas, internal storage, outdoor living space requirements, and internal sunlight access.
39. As set out in Table One, HUD suggests that such controls be removed from PC120, as we consider that these matters are better addressed through a market-driven approach, or, where there is a genuine health and safety need, through the Building Act / Building Code, rather than through the resource consenting process.
40. While not currently in force, we note the Government's future intent regarding matters internal to a site. Clause 14(1)(a) of the Planning Bill provides that "the internal and external layout of buildings on a site (for example, the provision of private open space)" must be disregarded when considering the effects of an activity.
41. Such controls appear intended to benefit occupants of the property being regulated, rather than any external effects on other parties. While it is true that it is possible to improve the quality of a building in some respects through regulation, in many cases this amounts to deciding a trade-off (for example, between more floorspace or more green space) on behalf of occupants.
42. Because the effects of these matters are largely internalised to the property owner, we can expect that market pressures will result in developments which produce the effects desired by purchasers, and purchasers will be able to make trade-offs between different matters (for example, a purchaser may prefer a property that has less internal storage if they can buy it for a lower price).

### **Subjective and visual amenity/external appearance matters do not need to be regulated for**

43. Similarly, HUD broadly considers that matters related to visual amenity or external appearance do not need to be controlled via objectives, policies, standards, or matters

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<sup>10</sup> To the extent that enabling greater densities increases the option value of land in these areas, current landowning tenants are also 'compensated' for these effects through the uplift in their own land values.

of discretion, and as set out in Table One, we suggest that a number of provisions for such matters are removed.

44. While not currently in force, we note the Government's future intent regarding matters of visual amenity. Clause 14(1)(e) of the Planning Bill provides that "the visual amenity of a use, development, or building in relation to its character, appearance, aesthetic qualities, or other physical feature" must be disregarded when considering the effects of an activity.
45. We expect that market demand for buildings with high visual amenity is likely to be a more reliable method of producing buildings that reflect purchaser preferences. We also consider that it is reasonable for a purchaser to want to trade off visual amenity against price, or other amenity matters such as site size.
46. While visual amenity or external appearance could arguably be viewed as an externality, reasonable people can disagree as to preferences and as to what matters add to, or detract from, visual amenity – for example, matters such as the "use of built elements such as materials, surface and architectural detailing and roof design to create visual interest" are inherently subjective. These types of matters introduce greater uncertainty into the resource consenting process and create compliance costs, which can make development less feasible, and housing less affordable. It is difficult to quantify the benefits due to the inherent subjectiveness of these matters.
47. If it is considered that some of the provisions suggested for deletion in Table One below address material externalities (e.g., noise or wind effects) rather than matters related to visual amenity, HUD seeks that instead the scope of these matters is narrowed to make that clearer.

#### **Discretion related to non-compliance with a standard could be narrowed**

48. Where an activity is restricted discretionary due to non-compliance with a relevant standard, HUD suggests that matters of discretion could be limited to the effects of non-compliance with that specific standard, rather than the effects of the activity in its entirety. If it has not been considered generally necessary for particular aspects of a development to be subject to the resource consenting process, then these matters need not be subject to the resource consenting process simply by virtue of a part of the development needing to be subject to the process.

#### **A greater mix of uses could be enabled in the Terrace Housing and Apartment Buildings and Mixed Housing Urban zones, and provisions intended to enforce centres hierarchies could be removed**

49. For the purposes of this submission, 'mixed-use' refers to a mix of different types of activities (such as commercial, residential and community activities) being enabled in the same zone. HUD supports the progress made in enabling more mixed-use in residential zones through PC120 relative to the operative AUP. Enabling a mix of uses in residential zones supports well-functioning urban environments by:
  - a. promoting competition, productivity and innovation,
  - b. enabling more dynamic, liveable and attractive neighbourhoods, and
  - c. making it easier for people to access amenities and opportunities nearby, including by walking and other forms of active travel.

50. While not a current legislative requirement, we note the Government’s future intent regarding mixed use. Paragraph 121 of the Going for Housing Growth discussion document states that “while the exact mix of standardised zones in the new system is still to be determined, overall we envisage enabling a greater mix of uses between residential, commercial and community activities in standardised zones than is typical at present.”<sup>11</sup>
51. HUD considers that there are further opportunities to enable more mixed-use through PC120 to better support a well-functioning urban environment by enabling more commercial activities to occur within residential zones with a permitted activity status.
52. Permitted activity status provides the most certainty for developers and reduces costs by removing the risk of an iterative process. Permitted activity status, with clear standards, also removes the risk of the exercise of discretion being applied inconsistently across the region.

### *Centres hierarchy policies could generally be removed*

53. HUD also notes that, as in many parts of New Zealand, Auckland’s plan includes provisions intended to reinforce a ‘centres hierarchy’ – that is, to protect the status of town centres and other business zones from competition. These are reflected in policies in many residential and business zones.
54. HUD’s view is that these provisions are unnecessary and often counterproductive. Businesses have natural incentives to locate near other businesses to take advantage of, for example, higher foot traffic or to facilitate shared trips. Where a business chooses not to do this, it might be because land in the existing centre is scarce and thus expensive, because the business cannot find an appropriate site, or for a wide range of other reasons. In these cases, the result of planning barriers preventing businesses from locating outside centres – or imposing frictions on doing so – is often to limit competition. While there might be legitimate reasons to nudge businesses towards locating near each other – such as in order to optimise public transport delivery – HUD’s view is that the evidence that these benefits outweigh the costs would need to be very clear, and that this is currently not the case. This is a view shared by, for example, the New Zealand Productivity Commission – as expressed in its 2017 report *Better urban planning*.<sup>12</sup>
55. Accordingly, HUD suggests deletion of the relevant provisions intended to reinforce a ‘centres hierarchy’ in a range of residential and commercial zones. HUD acknowledges that not all scales, intensities, and forms of commercial activity are appropriate in all residential or commercial zones, and we do not seek to enable all commercial activities in all commercial and residential zones. However, we draw a distinction between this and a desire for smaller centres or residential zones to not ‘draw away’ activity from larger centres or vice versa.

### *Most small-scale commercial activities could be permitted in the THAB zone*

56. HUD supports small-scale dairies, restaurants and cafes being a permitted activity in the THAB zone and considers that it could be appropriate to broaden this to provide for

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<sup>11</sup> Ministry of Housing and Urban Development and Ministry for the Environment. (2025). *Going for Housing Growth Providing for urban development in the new resource management system – Discussion paper*. Retrieved from: <https://www.hud.govt.nz/assets/Uploads/Documents/Going-for-Housing-Growth/Discussion-document/GfHG-Phase-3-discussion-document.pdf>

<sup>12</sup> Productivity Commission. (2017). *Better urban planning*. Retrieved from <http://treasury.govt.nz/sites/default/files/2024-05/pc-inq-bup-final-report.pdf>

small-scale commercial activities more generally (as defined in the National Planning Standards) being permitted activities, subject to any standards considered appropriate. If it is considered that any particular commercial activities are inappropriate for the THAB zone, HUD would prefer an approach where commercial activities are generally permitted and inappropriate commercial activities are specifically excluded, rather than only specific commercial activities are permitted.

57. Mixed-use is likely to be most viable in higher-density areas like the THAB zone. These areas are also likely to be best suited to the potential effects of mixed-use (such as traffic and noise) as they generally reflect better-connected parts of urban areas, and the effects may better align with the expectations of existing residents and/or the planned built character of the area.

*Small dairies, restaurants and cafes could be permitted in the Mixed Housing Urban zone*

58. HUD also considers that it could be appropriate to provide for dairies, restaurants and cafes as permitted activities within the Mixed Housing Urban zone, aligned with PC120's current approach to the THAB zone. These are smaller-scale activities with lower externalities that are likely well suited to being enabled alongside medium-density housing where there is market demand for such activities.

**The threshold for imposing special character constraints could be raised to only protect the most exceptional sites**

59. HUD supports the steps taken by the Council to reduce some special character areas, but considers that the threshold for the management of special character could be increased further.
60. While not currently in force, HUD notes that the Government has signalled an intent that special character will not be able to be regulated for in the proposed new resource management system, as demonstrated by clause 14(e) of the Planning Bill as introduced.

*There is good evidence that the costs of special character protections outweigh benefits*

61. There is strong evidence of the costs of special character provisions. 2023 research by Greenaway-McGrevy and Jones demonstrates that character protections in Auckland impose net welfare losses equivalent to an income decrease of \$330–\$1,368 per household annually (0.32%–1.32% of average household income).<sup>13</sup> This equates to a total cost to Aucklanders of between \$210m and \$890m.<sup>14</sup> While acknowledging that PC120 proposes to make some changes to special character protections, the strong findings of the study mean that it is likely that the costs of special character provisions continue to outweigh the benefits.
62. While these overlays may provide amenity value to some local residents, the associated restrictions limit redevelopment, resulting in reduced capacity in high-demand, inner-city neighbourhoods. The amenity value provided to residents is also not significant relative to the amenity value provided by other matters such as floorspace; the Greenaway-McGrevy and Jones report reveals that a typical property owner in a special character

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<sup>13</sup> Greenaway-McGrevy, R., & Allan Jones, J. (2025). *The Welfare Effects of Character Protections on Neighbourhoods*. The Economic Record, The Economic Society of Australia, vol. 101(333), pages 203-232, June. Retrieved from: <https://ideas.repec.org/a/bla/ecorec/v101y2025i333p203-232.html>

<sup>14</sup> Based on 2023 population numbers and 2.7 person average household size.

area with 140m<sup>2</sup> of floorspace would be willing to forgo their neighbourhood's special character protection if it allows them to gain at least 12.6m<sup>2</sup> of additional floor area.

*Special character protections should be further reduced in the Maungawhau, Kingsland and Morningside walkable catchments*

63. The Council's section 32 report acknowledges that the special character qualifying matter has a considerable impact in accessible parts of Auckland. For example, even with the changes proposed in PC120, 11% of land within the walkable catchments of Maungawhau, Mt Eden, Morningside, Baldwin Avenue and Mt Albert train stations is covered by the special character overlay, compared to only 2.5% in all other walkable catchments. These are precisely the areas where there are the greatest expectations for intensification under the RM-COSC, to maximise the benefits of City Rail Link investment.
64. We support the strategic decision to reduce overlays in certain walkable catchments, including Maungawhau and Kingsland station walkable catchments. However, we consider that there are opportunities to further reduce special character protections to better enable development, both in relation to these stations and more broadly, which are outlined below.

*Special character provisions could be narrowed to only apply to exceptional sites within high-quality areas*

65. Under the current legislative settings, Auckland Council must demonstrate, with robust evidence, that each application of the special character overlay meets the section 32 report requirements and the legal tests for qualifying matters where applicable. This includes identifying the specific characteristic that makes the level of development as required by Policy 3 inappropriate in the area, and justifying why that characteristic makes the level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD.
66. HUD notes that under Policy 6(b) of the NPS-UD, changes to planned urban built form (including character areas) may detract from amenity values experienced by some people, but improve amenity values experienced by other people, and are not, of themselves, an adverse effect.
67. If it is considered that, within the current legislative context, there is a need to retain special character provisions, then HUD suggests that a more selective approach be taken, applying provisions only to exceptional sites, as follows:
  - a. For residential special character provisions:
    - i. only apply provisions to sites that are rated six out of six (according to Auckland Council's previously established methodology), rather than five out of six, and do not apply the provisions to other sites within an area that are not rated a six out of six, and
    - ii. only apply provisions within areas where at least 75% of sites outside walkable catchments, and at least 80% of sites within walkable catchments, are rated six out of six for special character.
  - b. For business special character provisions:

- i. only apply provisions to sites that are character defining (according to Auckland Council's previously established methodology), and not apply to other sites within an area that are not character defining, and
- ii. do not apply provisions outside of the business special character areas identified in PC120 as notified.

68. HUD considers that special character protections may be best applied only to individual sites that are rated most highly for special character, and as such suggests both only applying the provisions to specific sites that are rated highly, and raising the required rating from five out of six to six out of six. Given the demonstrated disproportionate costs of special character provisions relative to the benefits, it is arguably not proportionate to apply special character provisions where the site itself does not have a high level of character, even if it sits within a broader 'character area'.

69. HUD also considers it may be appropriate to raise thresholds for an area within which residential special character provisions may apply. Raising thresholds ensures that only the most exceptional character areas are managed, reducing unnecessary constraints on development and aligning with statutory requirements to enable well-functioning urban environments. More specifically, HUD suggests that:

- a. It could be appropriate to increase the threshold for residential areas outside of walkable catchments to 75% of sites that are rated a six out of six. 75% is the threshold employed by Auckland Council in 2022 when undertaking its initial character assessments.<sup>15</sup> While the initial threshold included sites rated either five or six out of six, we consider that defining special character areas as only those in which there are concentrations of exceptional sites would be consistent with an approach of only protecting the exceptional sites themselves.
- b. An approach that is more enabling of development is desirable for residential areas within walkable catchments, and that the threshold could be increased to 80% of sites that are rated a six out of six. Walkable catchments are generally areas with the highest levels of access to transport, jobs, and amenity, and so the costs of special character provisions inhibiting development are higher in these areas. Additionally, there are more stringent analysis requirements under the qualifying matters framework that must be met before height limiting provisions can be applied within these areas. HUD considers that PC120 does not currently adequately balance the costs and benefits of special character provisions in respect of walkable catchments.

**Consideration should be given to whether the rationale for each Maunga Viewshaft and Height and Building Sensitive Area remains sufficiently strong to justify the retention of each protection, or whether the spatial extent could be altered to retain the benefits of the protections at a lower economic cost**

*The costs and benefits of Maunga Viewshafts and Height and Building Sensitive Areas should be considered together*

70. Plan Change 120 largely retains the Auckland Unitary Plan's approach to protecting Maunga Viewshafts (formerly Volcanic Viewshafts). The Plan Change also adds further controls to the former Height Sensitive Areas, expanding their scope to include

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<sup>15</sup> See: <https://www.aucklandcouncil.govt.nz/content/dam/ac/docs/plans/unitary/pc-120/04-pc-120-special-character-residential-findings-reports-north.pdf>

sensitivity to buildings and renaming them as Height and Building Sensitive Areas (HBSAs).

71. HUD acknowledges the cultural, visual, and landscape significance of Auckland's Maunga, including to mana whenua. We appreciate that the existing Volcanic Viewshafts and Height Sensitive Areas have many intangible benefits and that these benefits are deeply held by those who value them. We also acknowledge the statutory context in which the viewshafts are protected, including the reference in section 6 of the RMA to the protection of outstanding natural landscapes from inappropriate subdivision, use, and development and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
72. Nevertheless, viewshafts also impose costs, by restricting development where the viewshaft binds relative to the underlying zoning. Auckland's viewshafts are predominantly within more centrally located (and thus, in general, more accessible and high demand) areas, increasing these costs. We consider it important that both costs and benefits are considered together when determining appropriate policy settings in relation to Maunga Viewshafts and HBSAs.

*The costs of Maunga Viewshafts have likely significantly increased since the Proposed Auckland Unitary Plan*

73. We note that significant work was undertaken on viewshafts during the development of the Auckland Unitary Plan. For example, work prepared by MRCagney identified that – relative to underlying zoning in the Proposed Auckland Unitary Plan – viewshafts would have a binding impact for 2,300 sites with a total land area of 2.0 million square metres. The independent hearings panel considering the PAUP argued that such an impact was 'arguably modest' and that the benefits of viewshafts outweighed the costs.
74. Nevertheless, we note that the independent hearings panel for the Auckland Unitary Plan recommend that there be refinement of some existing viewshafts to improve their efficacy and opportunity costs, which we understand has not been given effect to as part of PC120. Critically, we also note that PC120 generally proposes a materially higher level of intensification in terms of underlying zoning than the PAUP. As such, while the equivalent analysis to the MRCagney work does not appear to have yet been completed for or by Auckland Council, we would expect the binding impact of viewshafts to be materially higher than under the PAUP.
75. While the impact of viewshafts in terms of quantity of foregone enabled floorspace has been previously modelled, we are not aware of a city-wide assessment of the economic impact of viewshafts in terms of their impact on land values. However, the value of viewshaft E10 alone has been estimated as having net economic costs (excluding intangible costs and benefits) of \$1.366 billion in 2018.<sup>16</sup> While Viewshaft E10 is likely to be one of the most individually impactful viewshafts, we expect the total economic costs of all viewshafts to substantially exceed this figure. We note that such information on the scale of the economic costs of viewshafts was not available to the IHP considering the PAUP.

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<sup>16</sup> Cooper, G.C.K.; Namit, K. City with a Billion Dollar View © World Bank, published in the New Zealand Economic Papers55(1) 2021-01-02 <http://dx.doi.org/10.1080/00779954.2018.1509110>

*The underpinning rationale for some specific Maunga Viewshafts no longer appears to stand*

76. Beyond the costs associated with viewshafts, we note that the underpinning rationale placement of some specific Maunga Viewshafts, and their associated benefits, no longer appears to stand. For example, we understand that:
- a. Viewshaft E10 sought to protect views to Mt Eden from the now-removed toll booths on the Auckland Harbour Bridge, with these views now partially overbuilt by the Onewa Road overbridge;
  - b. Viewshaft E19 is obscured in part by Mt Eden Prison;
  - c. Viewshaft O10 is in part blocked by recent Pohutukawa planting, and such overplanting is “not an uncommon situation, as street tree planting appears to be frequently undertaken without regard to the MVs”.
  - d. Viewshaft W06 is now largely compromised by a hotel and conference centre; and
  - e. Viewshaft W13 is partially obscured by single-storey state housing.<sup>17</sup>
77. Without endorsing the review undertaken by Stephen Brown to inform PC120 viewshaft settings, we note that his review outlined that three viewshafts were not (or no longer) locally or regionally significant and could be deleted, while several others could be potentially altered. We understand that these recommendations have not been adopted.

*Policy settings for Maunga Viewshafts and Height and Building Sensitive Areas could be re-examined*

78. In light of the above, HUD has commissioned analysis to assess the economic costs of viewshafts and height-sensitive areas across Auckland in terms of the impact on feasible development capacity in a situation of unconstrained zoning (with allowances for natural hazard risk). We expect this evidence to become available in early 2026 and may speak to it at the appropriate PC120 hearings in 2026. This assessment of the economic costs of viewshafts should not be considered in isolation. It will need to be weighed against the benefits of viewshafts, including to mana whenua, and the statutory context in which these viewshafts have been put in place.
79. We also note that the expansion of the scope of Height Sensitive Areas to also include building sensitivity did not consider whether the spatial extent of height sensitivity and building sensitivity were identical, nor was any specific analysis done of the costs and impacts of each such area.
80. Without prejudicing the findings of the analysis HUD has commissioned, we do suggest that further consideration be given to:
- a. Whether the rationale for each Maunga Viewshaft remains sufficiently strong to justify the retention of the viewshaft,
  - b. Whether any viewshafts could be narrowed or shifted to retain the benefits of the viewshaft at a lower economic cost, and
  - c. Whether the spatial extents of the HBSAs could be re-examined, both on their own merits and in light of the additional controls, and including whether the spatial

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<sup>17</sup> Landscape report review of Maunga Viewshafts: E06, E10, E16, E18, E19, E20, K01, K02, O10, T08, W06 & W13, A13, prepared by Brown Limited in September 2025 and included in the relevant Section 32 report on Maunga Viewshafts and Building Sensitive Areas, page 150.

extent of building sensitivity might be smaller than the spatial extent of height sensitivity.

### **Te Ara Hauāuru – the planned Northwest busway should be upzoned in accordance with Policy 3(c)(i) of the NPS-UD**

81. Under policy 3(c)(i) of the NPS-UD, Auckland Council must enable building heights of at least six storeys within at least a walkable catchment of existing and planned rapid transit stops. Under the NPS-UD, “planned” means planned in a regional land transport plan prepared and approved under the Land Transport Management Act 2003.
82. The proposed Te Ara Hauāuru – Northwest busway is planned in the Auckland Regional Land Transport Plan 2024-2034. As such, we consider that it meets the criteria for mandatory upzoning under the NPS-UD, and should be upzoned accordingly. We understand that notices of requirement for the busway were lodged by NZTA in December 2025.
83. Te Ara Hauāuru will have the capacity to move up to 9,000 people in each direction per hour, will provide for a 25-minute journey from Brigham Creek to Karanga-a-Hape station, and involves more than four billion dollars in investment.
84. HUD seeks that the proposed stop locations are designated as rapid transit stops under PC120 (Brigham Creek, Westgate, Lincoln Road, Royal Road, Te Atatū, Point Chevalier and Western Springs). At a minimum, HUD seeks that sites that are currently live zoned for urban use within a walkable catchment of these stations should be upzoned to enable building heights of at least six storeys in accordance with the NPS-UD.
85. HUD considers that the catchment size for these stops should be consistent with that of other walkable catchments around rapid transit stops, (i.e, a 10 minute catchment), however, if there were to be an increase in catchment size for rapid transit stops generally, then HUD would seek alignment of Te Ara Hauāuru’s catchment with the general approach.

### **The approach to natural hazards should be refined, including to enable the best available information to be considered at the resource consent stage**

86. HUD recognises the need for a proportionate approach to natural hazard management. We neither endorse nor oppose the broad approach of PC120 to natural hazard management, but instead seek two specific changes.

#### *Sites partially covered by natural hazard overlay*

87. Some sites under PC120 are only partially covered by the flood hazard overlay. HUD suggests that where a site is partially subject to a natural hazard overlay, PC120 should be clear that the natural hazard provisions do not apply, and the activity status does not change, in respect of the part of the site that is not within the overlay. HUD suggests clarification of this in PC120.

#### *Best available information*

88. The effective management of natural hazards requires a clear understanding of the degree of risk posed by a particular hazard to determine the appropriate assessment that should be applied to specific land use activities at the resource consent stage. This requires adequate, accurate, and site-specific hazard information to inform risk

assessments and planning decisions. This assessment should be informed by the “best available information”.

89. In relation to flood hazards, the risk category is based on flood mapping in the Auckland Council’s Geomaps. However, individual sites may have independent site-specific assessments available that are more recent, accurate, or up to date than Geomaps. To ensure that the best available information is used at the resource consent stage, PC120 should include provisions to enable third-party assessments to be used in place of the Council’s data on natural hazards to ensure that the risk category and decision-making process is informed by the most up to date and site-specific information. HUD considers that the process for review and acceptance of third-party site-specific risk assessments, (and how this is applied) in identifying the risk category and activity status, needs to be clear in Chapter E36 Natural hazards and flooding. In addition, there also needs to be a clear process for Geomaps to be updated to incorporate updated and approved information.
90. This approach would be consistent with the National Policy Statement on Natural Hazards (NPS-NH), which has been gazetted and will come into force on 15 January 2026. Part 3.4(1) of the NPS-NH requires that “When undertaking risk assessments and making decisions for the purposes of managing natural hazard risk, decision-makers must use the best information available at the time of making the assessment or decision.”
91. Including a clear mechanism for accepting third-party site-specific assessments, ensuring that this information is used to determine the risk category and activity status, and updating the Council’s hazard information accordingly should be provided in Chapter E36 Natural hazards and flooding. We note that Chapter J Definitions is proposed to be amended to include notes that comment on these matters. However, these ‘notes’ do not provide a clear process or certainty for parties. Clear provisions are required in Chapter E36 Natural hazards and flooding.

### **Consequential changes may be required to achieve the intended outcome**

92. In addition to relief identified in Table One, HUD also seeks such other additional or consequential relief as is necessary to achieve consistency with the relief sought and to satisfy the concerns of HUD, or such other alternative relief to satisfy the concerns of HUD.
93. HUD notes that the Auckland Regional Policy Statement (RPS) includes objectives and policies which could be interpreted as requiring or promoting the objectives, policies, matters of discretion, and standards which this submission requests be altered or deleted. To the extent that making the changes requested by this submission would require that the RPS be altered, HUD also requests that these alterations to the RPS be made.

Table One: Relief sought to meet policy intent of RM-COSC and NPS-UD and support positive housing and urban development outcomes across Auckland

| ID                | Chapter / sub-part                           | Specific provision   | Position       | Reason  | Relief sought   |
|-------------------|--|--|----------------|---|---|
| <i>Objectives</i> |  |  |                |   |   |
| 1                 | H3.<br>H4.<br>H5.<br>H6.                     | H3.2 (3A)<br>H4.2 (3)<br>H5.2 (3)<br>H6.2 (3)  | Oppose in part | Matters internalised to the property owners or residents are better addressed through a market-driven approach rather than the resource consenting process.<br><br>Where there is a genuine health and safety need related to the building and its visitors / inhabitants, this is more appropriately addressed through the Building Act / Building Code. | <b>Single House</b><br>Delete <b>H3.2 (3A) (a)</b> .<br><br><b>Mixed Housing Suburban</b><br>Amend <b>H4.2 (3)</b> to “Development provides quality built environments for residents on adjoining sites and to the street, that are healthy and safe, and meet the functional and operational needs of emergency responders”.<br><br><b>Mixed Housing Urban</b><br>Amend <b>H5.2 (3)</b> to remove “on site for residents” and to remove “attractive,”.<br><br><b>Terrace Housing and Apartment Buildings</b><br>Amend <b>H6.2 (3)</b> to remove “on site for residents” and to remove “attractive,”.   |
| 2                 | H4.<br>H5.<br>H6.                            | H4.2 (3)<br>H5.2 (3)<br>H6.2 (3)   | Oppose in part | Visual amenity and external appearance matters are subjective and increase uncertainty and costs. The provisions identified for deletion or amendment in the following column appear to largely relate to visual amenity.   | <b>Mixed Housing Suburban</b><br>Amend <b>H4.2 (3)</b> to “Development provides quality built environments for residents on adjoining sites and to the street, that are healthy and safe, and meet the functional and operational needs of emergency responders”.<br><br><b>Mixed Housing Urban</b><br>Amend <b>H5.2 (3)</b> to remove “on site for residents” and to remove “attractive”.<br><br><b>Terrace Housing and Apartment Buildings</b><br>Amend <b>H6.2 (3)</b> to remove “on site for residents” and to remove “attractive”.   |
| 3                 | H10.<br>H11.<br>H12.<br>H13.<br>H14.<br>H15. | H10.2 (1)<br>H11.2 (1)<br>H12.2 (1)<br>H13.2 (1)<br>H14.2 (1)<br>H15.2 (1)<br>H10.2 (8)<br>H11.2 (8)<br>H13.2 (9)<br>H14.2 (8) | Oppose in part | Visual amenity and external appearance matters are subjective and increase uncertainty and costs. The provisions identified for deletion or amendment in the following column appear to largely relate to visual amenity.   | <b>Business</b><br>Amend <b>H10.2 (1), H11.2 (1), H12.2 (1), H13.2 (1), H14.2 (1) and H15.2 (1)</b> , removing the implication that visual amenity should be considered, to “A strong network of centres that attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales”.<br><br><b>Town Centre</b><br>Amend <b>H10.2 (8)</b> to “Town centres have vibrant commercial, entertainment and retail areas.”<br><br><b>Local Centre</b><br><b>H11.2 (8)</b> to “Local centres are vibrant places to live, work and visit.”<br>Delete <b>H13.2 (9)</b> entirely.<br><br><b>General Business</b><br><b>H14.2 (8)</b> “The adverse effects on the quality of the environment at the interface with other zones are managed.” |
| 4                 | H5.  | H5.2. (1)  | Oppose in part | HUD’s view is that, while open space in the MHU zone is potentially desirable, the term “surrounded” could mean that urban forms such as  | <b>Mixed Housing Urban</b><br>Amend <b>H5.2 (1)</b> to remove “and surrounded by open space”.   |

| ID | Chapter / sub-part                           | Specific provision   | Position       | Reason   | Relief sought  |
|----|--|--|----------------|--|--|
|    |  |  |                | perimeter blocks and street-oriented terraced housing, which should be anticipated by the zone, are discouraged.   |  |
| 5  | H5.<br>H6.                                   | H5.2. (5)<br>H6.2. (5)   | Oppose in part | HUD's view is that these objectives should seek outcomes, not require specific solutions, and that the outcome sought in this case should seek to balance urban heat island effects against other desirable outcomes.  | <p><b>Mixed Housing Urban</b><br/>Amend <b>H5.2 (5)</b> to "Development contributes to a built environment that is resilient to the effects of climate change and acceptably limits urban heat island effects".</p> <p><b>Terrace Housing and Apartment Buildings</b><br/>Amend <b>H6.2 (5)</b> to "Development contributes to a built environment that is resilient to the effects of climate change and acceptably limits urban heat island effects".</p>  |
| 6  | H3.  | H3.2 (6)   | Oppose         | <p>HUD considers that:</p> <ul style="list-style-type: none"> <li>• It should not be considered negative for the amenity values of an area to change over time – noting that the Single House zone also includes an objective to achieve "high quality amenity".</li> <li>• Changes to an area may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types.</li> <li>• Special character and coastal values which are subject to specific overlays are best addressed through those overlays and not duplicated in the provisions of the zones to which they partially apply.</li> </ul> <p>Accordingly, HUD considers that removing this objective would best give effect to the NPS-UD Policy 6 and to the broader objectives of the NPS-UD.</p> | <p><b>Single House</b><br/>Delete <b>H3.2 (6)</b>.</p>   |
| 7  | H10.<br>H11.<br>H12.<br>H13.<br>H14.<br>H15. | H10.2 (2)<br>H11.2 (2)<br>H12.2 (2)<br>H13.2 (2)<br>H14.2 (2)<br>H15.2 (2)<br>H10.2 (5)<br>H11.2 (5)<br>H12.2 (5)<br>H13.2 (5)<br>H14.2 (5)<br>H15.2 (5)<br>H10.2 (6)<br>H12.2 (6) | Oppose in part | HUD considers that the cost of "centres hierarchy" policies generally outweigh their benefits. This does not imply that the scale of commercial activities is not a relevant consideration for different centre zones, but only that provisions which seek to maintain the vitality of centres by restricting commercial activity in other centres should not be included in the plan.   | <p><b>Business</b><br/>Amend <b>H10.2 (2), H11.2 (2), H12.2 (2), H13.2 (2), H14.2 (2) and H15.2 (2)</b> to "Development is of a form, scale and design quality so that centres are enabled as focal points for the community."<br/>Delete <b>H10.2 (5), H11.2 (5), H12.2 (5), H13.2 (5), H14.2 (5) and H15.2 (5)</b> entirely.</p> <p><b>Town Centre</b><br/>Amend <b>H10.2 (6)</b> to "Enable Town centres to contain commercial, community and civic activities for the surrounding area and to provide for residential intensification."</p> <p><b>Neighbourhood Centre</b><br/>Delete <b>H12.2 (6)</b> entirely.</p> <p><b>Mixed Use</b><br/>Amend <b>H13.2 (6)</b> to "Moderate to high intensity residential activities and employment opportunities are provided for, in areas in close proximity to the City Centre zone, Business – Metropolitan Centre zone, Business – Town Centre zone or the public transport network."<br/>Delete <b>H13.2 (7)</b> entirely.</p> |

| ID              | Chapter / sub-part                           | Specific provision   | Position       | Reason  | Relief sought  |
|-----------------|--|--|----------------|---|--|
|                 |  | H13.2 (6)<br>H13.2 (7)<br>H14.2 (6)<br>H15.2 (6)<br>H15.2 (7)  |                |   | <b>General Business</b><br>Delete H14.2 (6) entirely.<br><b>Business Park</b><br>Delete H15.2 (6) entirely.<br>Delete H15.2 (7) entirely.  |
| <i>Policies</i> |  |  |                |   |  |
| 8               | H3.<br>H4.<br>H5.<br>H6.                     | H3.3 (5)<br>H4.3 (2)<br>H4.3 (3A)<br>H5.3 (2)<br>H5.3 (3A)<br>H6.3 (2)<br>H6.3 (A9)                    | Oppose in part | Matters internalised to the property owners or residents are better addressed through a market-driven approach rather than the resource consenting process.<br><br>Where there is a genuine health and safety need related to the building and its visitors / inhabitants, this is more appropriately addressed through the Building Act / Building Code. | <b>Single House</b><br>Delete H3.3 (5) entirely.<br><b>Mixed Housing Suburban</b><br>Amend H4.3 (2) to remove “and landscaped areas”.<br>Delete H4.3 (3A) (a).<br>Delete H4.3 (3A) (i).<br>Delete H4.3 (3A) (k).<br><b>Mixed Housing Urban</b><br>Amend H5.3 (2) to remove “and landscaped areas”.<br>Delete H5.3 (3A) (a).<br>Delete H5.3 (3A) (b).<br>Delete H5.3 (3A) (i) to remove “requiring outdoor living spaces that are functional in size, have access to sunlight, and are directly and conveniently accessible”.<br>Delete H5.3 (3A) (k).<br><b>Terrace Housing and Apartment Buildings</b><br>Delete H6.3 (2) (a).<br>Delete H6.3 (2) (b).<br>Delete H6.3 (A9) (a).<br>Delete H6.3 (A9) (h).<br>Delete H6.3 (A9) (k). |
| 9               | H10.<br>H11.<br>H12.<br>H13.<br>H14.<br>H15. | H10.3 (6)<br>H11.3 (6)<br>H12.3 (6)<br>H13.3 (6)<br>H14.3 (6)<br>H15.3 (6)<br>H10.3 (10)<br>H11.3 (10) | Oppose in part | Matters internalised to the property owners or residents are better addressed through a market-driven approach rather than the resource consenting process.<br><br>Where there is a genuine health and safety need related to the building and its visitors / inhabitants, this is more appropriately addressed through the Building Act / Building Code. | <b>Business</b><br>Delete H10.3 (6), H11.3 (6), H12.3 (6), H13.3 (6), H14.3 (6), H15.3 (6) entirely.<br>Delete H10.3 (10), H11.3 (10), H12.3 (10), H13.3 (10), H14.3 (10), H15.3 (10) entirely.<br><b>General Business</b><br>Amend H14.3 (20) to remove "within and".   |

| ID | Chapter / sub-part                           | Specific provision   | Position       | Reason  | Relief sought   |
|----|--|--|----------------|---|---|
|    |  | H12.3 (10)<br>H13.3 (10)<br>H14.3 (10)<br>H15.3 (10)<br>H14.3 (20)   |                |   |   |
| 10 | H3.<br>H4.<br>H5.<br>H6.                     | H3.3 (3)<br>H4.3 (2)<br>H4.3 (3A)<br>H5.3 (2)<br>H5.3 (3A)<br>H6.3 (2)<br>H6.3 (A9)  | Oppose in part | Visual amenity and external appearance matters are subjective and increase uncertainty and costs. The provisions identified for deletion or amendment in the following column appear to largely relate to visual amenity. | <p><b>Single House</b><br/>Amend <b>H3.3 (3)</b> to “Encourage development to achieve safe streets and public open spaces including by providing for passive surveillance.”</p> <p><b>Mixed Housing Suburban</b><br/>Amend <b>H4.3 (2)</b> to remove “(b) managing the design and appearance of multiple-unit residential development”.</p> <p>Delete <b>H4.3 (3A) (c)</b>.<br/>Delete <b>H4.3 (3A) (e)</b>.</p> <p><b>Mixed Housing Urban</b><br/>Amend <b>H5.3 (2)</b> to remove “and appearance”.</p> <p>Delete <b>H5.3 (3A) (c)</b>.<br/>Delete <b>H5.3 (3A) (e)</b>.<br/>Delete <b>H5.3 (3A) (l)</b>.</p> <p><b>Terrace Housing and Apartment Buildings</b><br/>Delete <b>H6.3 (2) (a)</b>.<br/>Delete <b>H6.3 (2) (c)</b>.<br/>Delete <b>H6.3 (A9) (c)</b>.<br/>Delete <b>H6.3 (A9) (e)</b>.<br/>Delete <b>H6.3 (A9) (h)</b>.</p> |
| 11 | H10.<br>H11.<br>H12.<br>H13.<br>H14.<br>H15. | H10.3 (3)<br>H11.3 (3)<br>H12.3 (3)<br>H13.3 (3)<br>H14.3 (3)<br>H15.3 (3)<br>H10.3 (5)<br>H11.3 (5)<br>H12.3 (5)<br>H13.3 (5) | Oppose in part | Visual amenity and external appearance matters are subjective and increase uncertainty and costs. The provisions identified for deletion or amendment in the following column appear to largely relate to visual amenity. | <p><b>Business</b><br/>Amend <b>H10.3 (3), H11.3 (3), H12.3 (3), H13.3 (3), H14.3 (3) and H15.3 (3)</b> to remove “(b) the visual quality and interest of streets and other public open spaces;”.</p> <p>Delete <b>H10.3 (5), H11.3 (5), H12.3 (5), H13.3 (5), H14.3 (5) and H15.3 (5)</b> entirely.</p> <p>Amend <b>H10.3 (8), H11.3 (8), H12.3 (8), H13.3 (8), H14.3 (8) and H15.3 (8)</b> to remove “dominance”.</p> <p>Amend <b>H10.3 (14), H11.3 (14), H12.3 (14), H13.3 (14), H14.3 (14), H15.3 (14)</b> to “Reduce building height below the standard zone height in locations identified within the Height Variation Control, where the standard zone height would have significant adverse effects on identified landscape features or other qualifying matters.”</p> <p><b>Town Centre</b></p>                                |

| ID | Chapter / sub-part                   | Specific provision   | Position | Reason   | Relief sought  |
|----|--------------------------------------|--|----------|--|--|
|    |                                      | H14.3 (5)<br>H15.3 (5)<br>H10.3 (8)<br>H11.3 (8)<br>H12.3 (8)<br>H13.3 (8)<br>H14.3 (8)<br>H15.3 (8)<br>H10.3 (14)<br>H11.3 (14)<br>H12.3 (14)<br>H13.3 (14)<br>H14.3 (14)<br>H15.3 (14)<br>H10.3 (18)<br>H10.3 (19)<br>H10.3 (21)<br>H11.3 (19)<br>H11.3 (20)<br>H12.3 (17)<br>H13.3 (19)<br>H13.3 (21)<br>H14.3 (22)<br>H15.3 (20) |          |  | <p>Amend <b>H10.3 (18)</b> to "Require those parts of buildings with frontages subject to the Key Retail Frontage Control to maximise street activation, building continuity along the frontage, and pedestrian safety".</p> <p>Amend <b>H10.3 (19)</b> to "Require those parts of buildings with frontages subject to the General Commercial Frontage Control to achieve street activation, building continuity along the frontage, and pedestrian safety."</p> <p>Amend <b>H10.3 (21)</b> to "Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on those areas."</p> <p><b>Local Centre</b></p> <p>Amend <b>H11.3 (19)</b> to "Recognise: the positive contribution supermarkets make to centre vitality and function; and the functional and operational requirements of these activities."</p> <p>Amend <b>H11.3 (20)</b> to "Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on those areas."</p> <p><b>Neighbourhood Centre</b></p> <p>Amend <b>H12.3 (17)</b> to "Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on those areas."</p> <p><b>Mixed Use</b></p> <p>Amend <b>H13.3 (19)</b> to "Require those parts of buildings with frontages subject to the General Commercial Frontage Control to achieve a reasonable level of street activation, building continuity along the frontage, and pedestrian safety."</p> <p>Amend <b>H13.3 (21)</b> to "Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on those areas."</p> <p><b>General Business</b></p> <p>Amend <b>H14.3 (22)</b> to "Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on those areas."</p> <p><b>Business Park</b></p> <p>Amend <b>H15.3 (20)</b> to "Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on those areas."</p> |
| 12 | H10.<br>H11.<br>H12.<br>H13.<br>H15. | H10.3 (26)<br>H11.3 (25)<br>H12.3 (22)<br>H13.3 (26)<br>H15.3 (25)   | Oppose   | These provisions combine visual amenity / external appearance, matters internal to sites, and potentially some externalities. To the extent that these provisions relate to externalities, HUD considers that these are addressed by other policies (such as, for example, H10.3(11) and H10.3(21). To the extent that they relate to other matters, HUD considers that they could be deleted. | <p><b>Town Centre</b></p> <p>Delete <b>H10.3 (26)</b> entirely.</p> <p><b>Local Centre</b></p> <p>Delete <b>H11.3 (25)</b> entirely.</p> <p><b>Neighbourhood Centre</b></p> <p>Delete <b>H12.3 (22)</b> entirely.</p>  |

| ID | Chapter / sub-part       | Specific provision                           | Position       | Reason  | Relief sought   |
|----|--------------------------|--|----------------|---|---|
|    |                          |  |                |   | <p><b>Mixed Use</b><br/>Delete <b>H13.3 (26)</b> entirely.</p> <p><b>Business Park</b><br/>Delete <b>H15.3 (25)</b> entirely.</p>   |
| 13 | H6.                      | H6.3 (2)                                     | Oppose         | <p>HUD’s view is that “human scaled street edges which complement the area’s streetscape and skyline” is an excessively prescriptive approach to achieving a high-quality built environment and can motivate standards and discretionary decisions which inappropriately limit development.</p> <p>To the extent that “well-designed” in this policy refers to matters internal to the site, HUD’s view is that this should be removed. To the extent that it relates to externalities, HUD’s view is that these are addressed through other policies.</p>  | <p><b>Terrace Housing and Apartment Buildings</b><br/>Delete <b>H6.3 (2) (c)</b>.</p>   |
| 14 | H4.<br>H5.<br>H6.        | H4.3 (3A)<br>H5.3 (3A)<br>H6.3 (A9)          | Oppose in part | <p>While privacy, sunlight, and daylight access for adjoining sites are clear benefits for those sites, there needs to be room for these to be traded off against other benefits. HUD’s view is that setting a minimum goal of “adequate” levels more appropriately allows for these trade-offs to be navigated.</p>  | <p><b>Mixed Housing Suburban</b><br/>Amend <b>H4.3 (3A) (d)</b> to “maintaining an adequate level of privacy and sunlight and daylight access for adjoining sites”.</p> <p><b>Mixed Housing Urban</b><br/>Amend <b>H5.3 (3A) (d)</b> to “maintaining an adequate level of privacy and sunlight and daylight access for adjoining sites”.</p> <p><b>Terrace Housing and Apartment Buildings</b><br/>Amend <b>H6.3 (A9) (d)</b> to “maintaining an adequate level of privacy and sunlight and daylight access for adjoining sites”.</p> |
| 15 | H5.<br>H6.               | H5.3 (3A)<br>H6.3 (A9)                       | Oppose         | <p>HUD considers that the costs of these policies and the related standards (see below) outweigh their benefits. To the extent that landscaped areas and trees are appreciated by residents of a site, they are matters internal to a site and should not be controlled.</p> <p>To the extent that they have externalities associated with them HUD considers that the cost of limiting development outweighs the benefits of these policies. Note that HUD does not request deletion of objectives, policies and standards relating to impervious area maxima and that this (combined with market demand) may in practice mean that landscaped areas are still provided in most instances.</p> | <p><b>Mixed Housing Urban</b><br/>Delete <b>H5.3 (3A) (h)</b>.</p> <p><b>Terrace Housing and Apartment</b><br/>Delete <b>H6.3 (A9) (h)</b>.</p>   |
| 16 | H3.<br>H4.<br>H5.<br>H6. | H3.3 (7)<br>H4.3 (9)<br>H5.3 (8)<br>H6.3 (9) | Oppose         | <p>HUD considers the costs of centres hierarchy policies outweigh their benefits.</p>   | <p><b>Single House</b><br/>Delete <b>H3.3 (7) (d)</b>.</p> <p><b>Mixed Housing Suburban</b><br/>Delete <b>H4.3 (9) (d)</b>.</p> <p><b>Mixed Housing Urban</b><br/>Delete <b>H5.3 (8) (d)</b>.</p>   |

| ID | Chapter / sub-part                           | Specific provision   | Position       | Reason   | Relief sought  |
|----|--|--|----------------|--|--|
|    |  |  |                |  | <p><b>Terrace Housing and Apartment Buildings</b><br/>Delete <b>H6.3 (9) (d)</b>.</p>  |
| 17 | H10.<br>H11.<br>H12.<br>H13.<br>H14.<br>H15. | H10.3 (1)<br>H11.3 (1)<br>H12.3 (1)<br>H13.3 (1)<br>H14.3 (1)<br>H15.3 (1)<br>H10.3 (15)<br>H10.3 (20)<br>H11.3 (16)<br>H11.3 (17)<br>H12.3 (15)<br>H12.3 (16)<br>H13.3 (17)<br>H14.3 (17)<br>H15.3 (16)<br>H15.3 (18) | Oppose in part | HUD considers the costs of centres hierarchy policies outweigh their benefits.   | <p><b>Business</b><br/>Delete <b>H10.3 (1), H11.3 (1), H12.3 (1), H13.3 (1), H14.3 (1), H15.3 (1)</b> entirely.</p> <p><b>Town Centre</b><br/>Amend <b>H10.3 (15)</b> to remove "surrounding".<br/>Amend <b>H10.3 (20)</b> to "Enable the location of supermarkets and department stores within town centres by recognising: the positive contribution these activities make to centre vitality and the functional and operational requirements of these activities".</p> <p><b>Local Centre</b><br/>Amend <b>H11.3 (16)</b> to remove "surrounding".<br/>Amend <b>H11.3 (17)</b> to remove "surrounding" and to remove "does not significantly adversely affect the function, role and amenity of the Business - City Centre zone, Business – Metropolitan Centre zone and Business – Town Centre zone beyond those effects ordinarily associated with trade effects on trade competitors".</p> <p><b>Neighbourhood Centre</b><br/>Amend <b>H12.3 (15)</b> to "Provide for small scale commercial activities including local retail, business services, food and beverage activities."<br/>Amend <b>H12.3 (16)</b> to "Discourage large-scale commercial activity that does not appropriately manage adverse effects on the safe and efficient operation of the transport network including effects on pedestrian safety".</p> <p><b>Mixed Use</b><br/>Delete <b>H13.3 (17)</b> entirely.</p> <p><b>General Business</b><br/>Delete <b>H14.3 (17)</b> entirely.</p> <p><b>Business Park</b><br/>Amend <b>H15.3 (16)</b> to remove clause <b>(b)</b>.<br/>Amend <b>H15.3 (18)</b> to remove clause <b>(a)</b> and remove "visual" from <b>(e)</b>.</p> |
| 18 | H3.  | H3.3 (9)   | Oppose         | <p>HUD considers that:</p> <ul style="list-style-type: none"> <li>It should not be considered negative for the amenity values of an area to change over time – noting that the Single House zone includes an objective to achieve “high quality amenity”.</li> <li>Changes to an area may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types.</li> <li>Special character and coastal values which are subject to specific overlays are best addressed through those overlays and not</li> </ul> | <p><b>Single House</b><br/>Delete <b>H3.3 (9)</b>.</p>   |

| ID                    | Chapter / sub-part                           | Specific provision  | Position        | Reason   | Relief sought   |
|-----------------------|--|---|-----------------|--|---|
|                       |  |   |                 | <p>duplicated in the provisions of the zones to which they partially apply.</p> <p>Accordingly, HUD considers that removing this policy would best give effect to the NPS-UD Policy 6 and to the broader objectives of the NPS-UD.</p>   |   |
| <i>Activity table</i> |  |   |                 |  |   |
| 19                    | H5.  | H5.4.1 (A15)<br>H5.4.1 (A16)  | Support in part | To better enable the benefits of mixed-use, HUD seeks for small-scale dairies, restaurants and cafes to a permitted activity in the MHU zone.  | <p><b>Mixed Housing Urban</b></p> <p>Amend <b>H5.4.1 (A15)</b> and <b>(A16)</b> to provide for a permitted activity status for dairies, restaurants and cafes up to 100m<sup>2</sup> gross floor area per site.</p>   |
| 20                    | H6.  | H6.4.1 (A14)<br>H6.4.1 (A15)<br>H6.6.4B   | Support in part | HUD supports small-scale dairies, restaurants and cafes being a permitted activity in the THAB zone. To better enable the benefits of mixed-use, HUD seeks for all small-scale commercial activities (as defined in the National Planning Standards) to be a permitted activity in the THAB zone.  | <p><b>Terrace Housing and Apartment Buildings</b></p> <p>Amend <b>H6.4.1 (A14)</b> and <b>(A15)</b> to refer to all commercial activities up to 200m<sup>2</sup> gross floor area per site.</p> <p>A consequential amendment may be required to <b>H6.6.4B</b> to refer to all commercial activities, rather than dairies, restaurants and cafes.</p> |
| <i>Standards</i>      |  |   |                 |  |   |
| 21                    | H5.<br>H6.                                   | H5.6.3<br>H5.6.13<br>H5.6.14<br>H5.6.16<br>H5.6.20<br>H6.6.12<br>H6.6.15<br>H6.6.17               | Oppose          | <p>Matters internalised to the property owners or residents are better addressed through a market-driven approach rather than the resource consenting process.</p> <p>Where there is a genuine health and safety need related to the building and its visitors / inhabitants, this is more appropriately addressed through the Building Act / Building Code.</p> | <p><b>Mixed Housing Urban</b></p> <p>Delete <b>H5.6.3</b>.</p> <p>Delete <b>H5.6.13</b>.</p> <p>Delete <b>H5.6.14</b>.</p> <p>Delete <b>H5.6.16</b>.</p> <p>Delete <b>H5.6.20</b>.</p> <p><b>Terrace Housing and Apartment Buildings</b></p> <p>Delete <b>H6.6.12</b>.</p> <p>Delete <b>H6.6.15</b>.</p> <p>Delete <b>H6.6.17</b>.</p>                |
| 22                    | H10.<br>H11.<br>H12.<br>H13.<br>H14.<br>H15. | H10.6.5<br>H10.6.10<br>H10.6.11<br>H11.6.3<br>H11.6.8<br>H11.6.9<br>H12.6.3<br>H12.6.8<br>H12.6.9 | Oppose          | <p>Matters internalised to the property owners or residents are better addressed through a market-driven approach rather than the resource consenting process.</p> <p>Where there is a genuine health and safety need related to the building and its visitors / inhabitants, this is more appropriately addressed through the Building Act / Building Code.</p> | <p><b>Town Centre</b></p> <p>Delete <b>H10.6.5</b> entirely.</p> <p>Delete <b>H10.6.10</b> entirely.</p> <p>Delete <b>H10.6.11</b> entirely.</p> <p><b>Local Centre</b></p> <p>Delete <b>H11.6.3</b> entirely.</p> <p>Delete <b>H11.6.8</b> entirely.</p> <p>Delete <b>H11.6.9</b> entirely.</p> <p><b>Neighbourhood Centre</b></p>                   |

| ID | Chapter / sub-part                           | Specific provision   | Position       | Reason  | Relief sought  |
|----|--|--|----------------|---|--|
|    |  | H13.6.9<br>H13.6.10<br>H15.6.7   |                |   | Delete <b>H12.6.3</b> entirely.<br>Delete <b>H12.6.8</b> entirely.<br>Delete <b>H12.6.9</b> entirely.<br><b>Mixed Use</b><br>Delete <b>H13.6.9</b> entirely.<br>Delete <b>H13.6.10</b> entirely.<br><b>Business Park</b><br>Delete <b>H15.6.7</b> entirely.  |
| 23 | H6.  | H6.6.8B<br>H6.6.8C<br>H6.6.12  | Oppose         | Visual amenity and external appearance matters are subjective and increase uncertainty and costs. The provisions identified for deletion or amendment in the following column appear to largely relate to visual amenity.<br><br>Some of the standards listed seek to address both visual amenity / external appearance matters and matters relating to wind. HUD's view is that to the extent that standards (e.g.H6.6.8C) seek to address both visual amenity matters and wind effects, HUD suggests that these are revisited to consider whether they could be amended to only address wind effects in a more proportionate fashion or whether a specific wind standard could be used.   | <b>Terrace Housing and Apartment Buildings</b><br>Delete <b>H6.6.8B</b> (noting that we do not request deletion of 'H6.6.8 – Height in relation to boundary adjoining lower intensity zones for development outside walkable catchments').<br>Delete <b>H6.6.8C</b> .<br>Delete <b>H6.6.12</b> .   |
| 24 | H10.<br>H11.<br>H12.<br>H13.<br>H14.<br>H15. | H10.6.3<br>H10.6.3A<br>H10.6.4<br>H10.6.6<br>H10.6.7<br>H11.6.2A<br>H11.6.2B<br>H11.6.4<br>H11.6.5<br>H12.6.2A<br>H12.6.2B<br>H12.6.4<br>H12.6.5<br>H13.6.3<br>H13.6.3A<br>H13.6.4<br>H13.6.5<br>H13.6.6 | Oppose in part | Visual amenity and external appearance matters are subjective and increase uncertainty and costs. The provisions identified for deletion or amendment in the following column appear to largely relate to visual amenity.<br><br>Some of the standards listed seek to address both visual amenity / external appearance matters and matters relating to wind. HUD's view is that to the extent that wind effects are appropriately addressed by e.g. H10.6.9, this is unnecessary. To the extent that standards (e.g.H10.6.4) seek to address both visual amenity matters and wind effects, HUD suggests that these are revisited to consider whether they could be amended to only address wind effects in a more proportionate fashion. | <b>Town Centre</b><br>Delete <b>H10.6.3</b> entirely.<br>Delete <b>H10.6.3A</b> entirely.<br>Delete <b>H10.6.4</b> entirely.<br>Amend <b>H10.6.6</b> to remove side and rear boundaries where adjoining residential zones.<br>Delete <b>H10.6.7</b> entirely.<br><b>Local Centre</b><br>Delete <b>H11.6.2A</b> entirely.<br>Delete <b>H11.6.2B</b> entirely.<br>Amend <b>H11.6.4</b> to remove side and rear boundaries where adjoining residential zones.<br>Delete <b>H11.6.5</b> entirely.<br><b>Neighbourhood Centre</b><br>Delete <b>H12.6.2A</b> entirely.<br>Delete <b>H12.6.2B</b> entirely.<br>Amend <b>H12.6.4</b> to remove side and rear boundaries where adjoining residential zones. |

| ID | Chapter / sub-part   | Specific provision              | Position       | Reason   | Relief sought   |
|----|----------------------|---------------------------------|----------------|--|---|
|    |                      | H14.6.3<br>H15.6.3<br>H15.6.4   |                |  | <p>Delete <b>H12.6.5</b> entirely.</p> <p><b>Mixed Use</b></p> <p>Delete <b>H13.6.3</b> entirely.</p> <p>Delete <b>H13.6.3A</b> entirely.</p> <p>Delete <b>H13.6.4</b> entirely.</p> <p>Amend <b>H13.6.5</b> to remove side and rear boundaries where adjoining residential zones.</p> <p>Delete <b>H13.6.6</b> entirely.</p> <p><b>General Business</b></p> <p>Amend <b>H14.6.3</b> to remove side and rear boundaries where adjoining residential zones.</p> <p>Amend <b>H15.6.3</b> to remove side and rear boundaries where adjoining residential zones.</p> <p>Delete <b>H15.6.4</b> entirely.</p> |
| 25 | H5.                  | H5.6.6                          | Oppose in part | Noting and supporting that this standard has been updated to better enable heights of 11m on more sites, HUD's view is that there is an opportunity for this standard to be further relaxed and that this would preserve an adequate level of sunlight for adjoining sites while enabling more intensive development within the MHU zone.  | <p><b>Mixed Housing Urban</b></p> <p>Amend <b>H5.6.6</b> to "Buildings must not project beyond a 60-degree recession plane measured from a point 4m vertically above ground level along side and rear boundaries".</p>  |
| 26 | H6.                  | H6.6.6<br>H6.6.8 (3)<br>H6.6.8A | Oppose         | <p>Noting and supporting that the Height in Relation to Boundary standard has been updated to better enable density in the THAB zone, HUD considers that removing the standard within the THAB zone would better align with the policy intent of the RM-COSC and NPS-UD. While there will be costs to adjoining sites, HUD's view is that the benefit of development, to landowners who choose to develop, landowners whose option value of land is increased, and to Auckland and New Zealand as a whole outweigh these costs.</p> <p>HUD does not request deletion of H6.6.8, recognising that sites which adjoin the THAB zone but are within lower density zones do not have the compensating benefits of option value uplift, but does request deletion of H6.6.8. (3). This standard introduces a high degree of uncertainty for (in HUD's view) no benefit.</p> <p>HUD does request deletion of H6.6.8A. To the extent that this standard relates to sunlight access, HUD's view is that this is adequately provided for by H6.6.8. To the extent that this standard relates to visual dominance or external appearance, HUD's view is that these matters should not be controlled for.</p> | <p><b>Terrace Housing and Apartment Buildings</b></p> <p>Delete <b>H6.6.6</b>.</p> <p>Delete <b>H6.6.8. (3)</b>.</p> <p>Delete <b>H6.6.8A</b>.</p>  |
| 27 | H10.<br>H11.<br>H12. | H10.6.2<br>H11.6.2<br>H12.6.2   | Oppose in part | Consequential amendments to these provisions would be required should the above requests (regarding Height in Relation to Boundary) be accepted.   | <p><b>Town Centre</b></p> <p>Amend <b>H10.6.2</b> to recognise requested changes to other Height in Relation to Boundary Standards.</p>   |

| ID | Chapter / sub-part   | Specific provision                                 | Position       | Reason  | Relief sought   |
|----|----------------------|--|----------------|---|---|
|    | H13.<br>H14.<br>H15. | H13.6.2<br>H14.6.2<br>H15.6.2                      |                |   | <p><b>Local Centre</b><br/>Amend <b>H11.6.2</b> to recognise requested changes to other Height in Relation to Boundary Standards.</p> <p><b>Neighbourhood Centre</b><br/>Amend <b>H12.6.2</b> to recognise requested changes to other Height in Relation to Boundary Standards.</p> <p><b>Mixed Use</b><br/>Amend <b>H13.6.2</b> to recognise requested changes to other Height in Relation to Boundary Standards.</p> <p><b>General Business</b><br/>Amend <b>H14.6.2</b> to recognise requested changes to other Height in Relation to Boundary Standards.</p> <p><b>Business Park</b><br/>Amend <b>H15.6.2</b> to recognise requested changes to other Height in Relation to Boundary Standards.</p> |
| 28 | H5.<br>H6.           | H5.6.8<br>H6.6.9                                   | Oppose in part | HUD's view is that the costs of the front, side and rear yard setbacks – especially in terms of limiting the ability of street-oriented urban forms to develop over time – outweigh the benefits of these standards.  | <p><b>Mixed Housing Urban</b><br/>Amend <b>H5.6.8.</b> to remove front, side and rear yard setbacks.</p> <p><b>Terrace Housing and Apartment Buildings</b><br/>Amend <b>H6.6.9</b> to remove front, side and rear yard setbacks.</p>  |
| 29 | H5.<br>H6.           | H5.6.9<br>H5.6.10<br>H5.6.11<br>H6.6.11<br>H6.6.21 | Oppose in part | <p>Both the THAB and MHU zones contain provisions intended to limit bulk and dominance through restricting site coverage and requiring landscaped area. These overlap to some extent with the maximum impervious area standards.</p> <p>To allow more efficient use of sites, HUD also considers that there could be a case for increasing the maximum impervious area in the MHU zone to 70% (from 60%) in line with the THAB zone, unless there are clear stormwater management reasons for not doing so.</p> <p>HUD also notes that developers have clear incentives to provide landscaped areas where these are demanded by residents, and that while there are externalities associated with these they can be provided for in other ways.</p> <p>We therefore request that consideration be given to amending the MHU impervious area standard to align with the THAB standard and that standards relating to building coverage and landscaped area be deleted.</p> | <p><b>Mixed Housing Urban</b><br/>Consider amending <b>H5.6.9. (1)</b> to “The maximum impervious area must not exceed 70 per cent of site area.”</p> <p>Delete <b>H5.6.10.</b></p> <p>Delete <b>H5.6.11.</b></p> <p><b>Terrace Housing and Apartment Buildings</b><br/>Delete <b>H6.6.11.</b></p> <p>Delete <b>H6.6.21.</b></p>  |
| 30 | H5.<br>H6.           | H5.6.12.<br>H6.6.13                                |                | The outlook standards in the THAB and MHU zones seek to achieve several outcomes, some of which HUD supports and some of which HUD request are not controlled for:  | <p><b>Mixed Housing Urban</b><br/>Delete <b>H5.6.12.</b></p>  |

| ID                           | Chapter / sub-part                   | Specific provision   | Position       | Reason  | Relief sought  |
|------------------------------|--------------------------------------|--|----------------|---|--|
|                              |                                      |  |                | <ul style="list-style-type: none"> <li>Matters internal to a site – such as rooms within a development having a “sense of space” or privacy between buildings within the same site – should not be controlled, for the reasons noted above.</li> <li>HUD also views the use of expanded outlook standards above 22m as overly restrictive and that their costs outweigh their benefits.</li> <li>Finally, we have generally sought to remove visual effects from consideration in the higher density residential and business zones.</li> </ul> <p>While the privacy of adjoining sites is a legitimate concern, the proposed outlook standards seek to control for too many other matters and so do not clearly focus on this matter. HUD therefore requests that the outlook standards in the THAB and MHU zones are deleted, but is open to the privacy of adjoining sites being addressed in another way.</p> | <b>Terrace Housing and Apartment Buildings</b><br>Delete H6.6.13.  |
| 31                           | H5.<br>H6.                           | H5.6.18<br>H6.6.19   | Oppose         | HUD considers the passive surveillance standard, while oriented towards a legitimate externality, to be unnecessarily constraining and with excessive effects on development compared with its benefits.  | <b>Mixed Housing Urban</b><br>Delete H5.6.18.<br><b>Terrace Housing and Apartment Buildings</b><br>Delete H6.6.19.   |
| <i>Matters of discretion</i> |                                      |  |                |   |  |
| 32                           | H4.<br>H5.<br>H6.                    | H4.8.1 (2)<br>H4.8.2 (2)<br>H5.8.1 (2)<br>H5.8.2 (2)<br>H6.8.1 (2)<br>H6.8.2 (2) | Oppose in part | <p>Matters internalised to the property owners or residents are better addressed through a market-driven approach rather than the resource consenting process.</p> <p>Where there is a genuine health and safety need related to the building and its visitors / inhabitants, this is more appropriately addressed through the Building Act / Building Code.</p>  | <p>Broadly, HUD seeks the removal of matters of discretion that are internalised to the property owners or residents. This includes the relief outlined below.</p> <p><b>Mixed Housing Suburban</b><br/> Delete H4.8.1 (2) (a) (ib) A., B., and D.<br/> Amend H4.8.2 (2) (af) (i) to delete “optimise privacy within the dwelling and”.<br/> Delete H4.8.2 (2) (af) (ii) - (iv).</p> <p><b>Mixed Housing Urban</b><br/> Delete H5.8.1 (2) (a) (ib) A., B., and D.<br/> Amend H5.8.2 (2) (k) (i) to delete “optimise privacy within the dwelling and”.<br/> Delete H5.8.2 (2) (k) (ii) - (iv).</p> <p><b>Terrace Housing and Apartment Buildings</b><br/> Delete H6.8.1 (2) (a) (ib) A., B., and D.<br/> Amend H6.8.2 (2) (m) (i) to delete “optimise privacy within the dwelling and”.<br/> Delete H6.8.2 (2) (m) (ii) - (iv).</p> |
| 33                           | H10.<br>H11.<br>H12.<br>H13.<br>H14. | H10.8.1 (2)<br>H10.8.1 (5)<br>H11.8.1 (4)<br>H12.8.1 (3)<br>H12.8.1 (6)          | Oppose in part | <p>Matters internalised to the property owners or residents are better addressed through a market-driven approach rather than the resource consenting process.</p> <p>Where there is a genuine health and safety need related to the building and its visitors / inhabitants, this is more appropriately addressed through the Building Act / Building Code.</p>  | <p><b>Town Centre</b><br/> Delete H10.8.1 (2) (b) entirely.<br/> Amend H10.8.1 (5) (a) to remove “within and”.</p> <p><b>Local Centre</b><br/> Delete H11.8.1 (4) (b) entirely.</p>  |

| ID | Chapter / sub-part       | Specific provision   | Position       | Reason  | Relief sought   |
|----|--------------------------|--|----------------|---|---|
|    | H15.                     | H13.8.1 (3)<br>H13.8.1 (6)<br>H14.8.1 (4)<br>H15.8.1 (3)   |                |   | <p><b>Neighbourhood Centre</b><br/>Delete <b>H12.8.1 (3) (b)</b> entirely.<br/>Amend <b>H12.8.1 (6) (a)</b> to remove “within and”.</p> <p><b>Mixed Use</b><br/>Delete <b>H13.8.1 (3) (b)</b> entirely.<br/>Amend <b>H13.8.1 (6) (a)</b> to remove “within and”.</p> <p><b>General Business</b><br/>Delete <b>H14.8.1 (4) (b)</b> entirely.</p> <p><b>Business Park</b><br/>Delete <b>H15.8.1 (3) (b)</b> entirely.</p>   |
| 34 | H3.<br>H4.<br>H5.<br>H6. | H3.8.1 (1)<br>H3.8.1 (2)<br>H3.8.2 (1)<br>H4.8.1 (1)<br>H4.8.1 (2)<br>H4.8.1 (3)<br>H4.8.1 (4)<br>H4.8.2 (1)<br>H4.8.2 (2)<br>H4.8.2 (4)<br>H5.8.1 (1)<br>H5.8.1 (2)<br>H5.8.1 (3)<br>H5.8.1 (4)<br>H5.8.2 (1)<br>H5.8.2 (2)<br>H6.8.1 (1)<br>H6.8.1 (2)<br>H6.8.1 (4)<br>H6.8.2 (1)<br>H6.8.2 (2) | Oppose in part | Visual amenity and external appearance matters are subjective and increase uncertainty and costs. The provisions identified for deletion or amendment in the following column appear to largely relate to visual amenity. | <p>Broadly, HUD seeks the removal of matters of discretion that relate to visual amenity matters. This includes the relief outlined below.</p> <p>HUD notes that amendments requested elsewhere in this submission (for example, changes to the activity status of some commercial activities) may require consequential changes to the matters of discretion and assessment criteria.</p> <p>If it is considered that some of the matters of discretion identified for deletion below address material externalities (e.g., noise or wind effects) rather than matters related to visual amenity, HUD seeks that instead the scope of these matters is narrowed to make that clearer.</p> <p><b>Single House</b><br/>Amend <b>H3.8.1 (1) (a)</b> to delete “neighbourhood character”.<br/>Delete <b>H3.8.1 (1) (a) (i)</b>.<br/>Delete <b>H3.8.1 (2) (g)</b>.<br/>Delete <b>H3.8.2 (1) (a)</b> (including <b>(i)</b>).</p> <p><b>Mixed Housing Suburban</b><br/>Amend <b>H4.8.1 (1) (a)</b> to delete “neighbourhood character”.<br/>Delete <b>H4.8.1 (1) (a) (i)</b>.<br/>Amend <b>H4.8.1 (2) (a)</b> to delete “neighbourhood character”.<br/>Delete <b>H4.8.1 (2) (a) (i)</b> (including <b>A.</b> and <b>B.</b>).<br/>Amend <b>H4.8.1 (2) (a) (ia)</b> to delete “appearance”.<br/>Delete <b>H4.8.1 (2) (a) (ia) A., B., and E.</b><br/>Amend <b>H4.8.1 (3) (a)</b> to delete “neighbourhood character”.<br/>Delete <b>H4.8.1 (3) (a) (i)</b> (including <b>A., B., and C.</b>).<br/>Delete <b>H4.8.1 (4) (g)</b>.<br/>Amend <b>H4.8.2 (1) (b)</b> to delete “appearance”.<br/>Amend <b>H4.8.2 (1) (b) (i)</b> to delete “attractive” and “character”.</p> |

| ID | Chapter / sub-part | Specific provision | Position | Reason | Relief sought  |
|----|--------------------|--------------------|----------|--------|--|
|    |                    |                    |          |        | <p>Delete <b>H4.8.2 (1) (d) (ii) and (iii)</b>.</p> <p>Delete <b>H4.8.2 (2) (aa)</b>.</p> <p>Delete <b>H4.8.2 (2) (ab)</b> (including <b>(i) to (vii)</b>).</p> <p>Delete <b>H4.8.2 (2) (ac)</b>.</p> <p>Amend <b>H4.8.2 (2) (ad)</b> to delete “visual amenity”.</p> <p>Replace <b>H4.8.2 (2) (ad) (i)</b> with “providing for passive surveillance from windows and balconies”.</p> <p>Delete <b>H4.8.2 (2) (ad) (ii) - (vii)</b>.</p> <p>Amend <b>H4.8.2 (2) (ae)</b> to delete “visual amenity”.</p> <p>Amend <b>H.4.8.2 (4) (c)</b> to delete “attractive”.</p> <p>Delete <b>H4.8.2. (4) (c) (i), (ii), and (iv)</b>.</p> <p><b>Mixed Housing Urban</b></p> <p>Amend <b>H5.8.1 (1) (b)</b> to delete “neighbourhood character”.</p> <p>Delete <b>H5.8.1 (1) (b) (i)</b>.</p> <p>Amend <b>H5.8.1 (2) (a)</b> to delete “neighbourhood character”.</p> <p>Delete <b>H5.8.1 (2) (a) (i)</b> (including <b>A. and B</b>).</p> <p>Amend <b>H5.8.1(2) (a) (ia)</b> to delete “appearance”</p> <p>Delete <b>H5.8.1 (2) (a) (ia) A., B., and E.</b></p> <p>Amend <b>H5.8.1 (3) (a)</b> to delete “neighbourhood character”.</p> <p>Delete <b>H5.8.1 (3) (a) (i)</b> (including <b>A., B and C</b>).</p> <p>Delete <b>H5.8.1 (4) (g)</b>.</p> <p>Amend <b>H5.8.2 (1) (b)</b> to delete “appearance”.</p> <p>Amend <b>5.8.2 (1) (b) (i)</b> to delete “attractive” and “character”.</p> <p>Delete <b>H5.8.2(1) (d) (ii) and (iii)</b>.</p> <p>Delete <b>H5.8.2 (2) (aa)</b>.</p> <p>Delete <b>H5.8.2 (2) (ab)</b> (including <b>(i) – (viii)</b>).</p> <p>Delete <b>H5.8.2 (ac)</b>.</p> <p>Delete <b>H5.8.2 (ad)</b>.</p> <p>Amend <b>H5.8.2 (2) (ae)</b> to delete reference to “visual amenity and”.</p> <p>Replace <b>H5.8.2 (2) (ae) (i)</b> with “providing for passive surveillance from windows and balconies”.</p> <p>Delete <b>H5.8.2 (2) (ae) (ii) - (vii)</b>.</p> <p>Amend <b>H5.8.2 (2) (af)</b> to delete reference to “attractive”.</p> <p><b>Terrace Housing and Apartment Buildings</b></p> <p>Amend <b>H6.8.1 (1) (b)</b> to delete “neighbourhood character”.</p> |

| ID | Chapter / sub-part                           | Specific provision  | Position       | Reason  | Relief sought  |
|----|--|---|----------------|---|--|
|    |  |   |                |   | <p>Delete <b>H6.8.1 (1) (b) (i)</b>.</p> <p>Amend <b>H6.8.1 (2) (a)</b> to delete “neighbourhood character”.</p> <p>Delete <b>H6.8.1 (2) (a) (i)</b> (including <b>A.</b> and <b>B.</b>).</p> <p>Amend <b>H6.8.1 (2) (a) (ia)</b> to delete “appearance”.</p> <p>Delete <b>H6.8.1 (2) (a) (ia) A., B. and E.</b></p> <p>Amend <b>H6.8.1 (2) (f) (ii)</b> to remove reference to “on visual amenity of the streetscape and”.</p> <p>Amend <b>H6.8.1 (2) (f) (iii)</b> to remove reference to “potential visual effects”.</p> <p>Delete <b>H6.8.1 (4) (g)</b>.</p> <p>Amend <b>H6.8.2 (1) (b)</b> to delete “appearance”.</p> <p>Delete <b>H6.8.2 (1) (b)</b> (including <b>(i)</b>).</p> <p>Delete <b>H6.8.2 (1) (d) (ii) and (iii)</b>.</p> <p>Delete <b>H6.8.2 (2) (aa)</b>.</p> <p>Delete <b>H6.8.2 (2) (ab)</b> (including <b>(i) – (viii)</b>).</p> <p>Delete <b>H6.8.2 (2) (ac)</b>.</p> <p>Amend <b>H6.8.2 (2) (ad)</b> to delete reference to “visual amenity and”.</p> <p>Replace <b>H6.8.2 (2) (ad) (i)</b> with “providing for passive surveillance from windows and balconies”.</p> <p>Delete <b>H6.8.2 (2) (ad) (ii) - (vii)</b>.</p> <p>Amend <b>H6.8.2 (2) (ae)</b> to delete reference to “attractive”.</p>   |
| 35 | H10.<br>H11.<br>H12.<br>H13.<br>H14.<br>H15. | H10.8.1 (1)<br>H10.8.1 (2)<br>H10.8.1 (3)<br>H10.8.1 (4)<br>H11.8.1 (1)<br>H11.8.1 (2)<br>H11.8.1 (4)<br>H11.8.1 (5)<br>H11.8.1 (6)<br>H12.8.1 (1)<br>H12.8.1 (2)<br>H12.8.1 (3)<br>H12.8.1 (4) | Oppose in part | Visual amenity and external appearance matters are subjective and increase uncertainty and costs. The provisions identified for deletion or amendment in the following column appear to largely relate to visual amenity. | <p><b>Town Centre</b></p> <p>Amend <b>H10.8.1 (1) (a)</b> to “(i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and (ii) the effects of the operation of the activity on the existing and expected surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.”</p> <p>Amend <b>H10.8.1 (1) (b)</b> to “(b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on pedestrian safety”.</p> <p>Amend <b>H10.8.1 (1) (c)</b> to “(c) the effects of location, design and management of storage and servicing facilities on nearby residential properties, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and”</p> <p>Delete <b>H10.8.1 (2) (a)</b> entirely.</p> <p>Amend <b>H10.8.1 (2) (c)</b> to “(c) the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of the opportunities for passive surveillance of the street from the ground floor of buildings.” (i.e., removing (i) and (ii)).</p> <p>Delete <b>H10.8.1 (2) (g)</b> entirely.</p> <p>Amend <b>H10.8.1 (3) (a)</b> to “(a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and</p> |

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|----|--------------------|--|----------|--------|---|
|    |                    | <p>H12.8.1 (5)</p> <p>H13.8.1 (1)</p> <p>H13.8.1 (2)</p> <p>H13.8.1 (3)</p> <p>H13.8.1 (4)</p> <p>H13.8.1 (5)</p> <p>H14.8.1 (1)</p> <p>H14.8.1 (2)</p> <p>H14.8.1 (4)</p> <p>H14.8.1 (5)</p> <p>H14.8.1 (6)</p> <p>H15.8.1 (1)</p> <p>H15.8.1 (3)</p> |          |        | <p>public spaces, having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on pedestrian safety;”</p> <p>Delete <b>H10.8.1 (4) (a)</b> entirely.</p> <p><b>Local Centre</b></p> <p>Amend <b>H11.8.1 (1) (a)</b> to “(i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and (ii) the effects of the operation of the activity on the existing and expected surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.”</p> <p>Amend <b>H11.8.1 (1) (b)</b> to “the effects of the design and location of parking areas and vehicle access and servicing arrangements on pedestrian safety;”</p> <p>Amend <b>H11.8.1 (1) (c)</b> to “the effects of location, design and management of storage and servicing facilities on nearby residential properties, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and”</p> <p>Amend <b>H11.8.1 (2) (a)</b> to “the compatibility of the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site, with the existing and expected future surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.”</p> <p>Amend <b>H11.8.1 (2) (b)</b> to “the effects of the design and location of parking areas and vehicle access and servicing arrangements on pedestrian safety;”</p> <p>Delete <b>H11.8.1 (4) (a)</b> entirely.</p> <p>Amend <b>H11.8.1 (4) (c)</b> to “the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of the opportunities for passive surveillance of the street from the ground floor of buildings.” (i.e., removing (i) and (ii)).</p> <p>Delete <b>H11.8.1 (4) (g)</b> entirely.</p> <p>Amend <b>H11.8.1 (5) (a)</b> to “(a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces, having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on pedestrian safety;”</p> <p>Delete <b>H11.8.1 (6) (a)</b> entirely.</p> <p><b>Neighbourhood Centre</b></p> <p>Amend <b>H12.8.1 (1) (a)</b> to “(i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and (ii) the effects of the operation of the activity on the existing and expected surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.”</p> <p>Amend <b>H12.8.1 (1) (b)</b> to “(b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on pedestrian safety”.</p> |

| ID | Chapter / sub-part | Specific provision | Position | Reason | Relief sought   |
|----|--------------------|--------------------|----------|--------|---|
|    |                    |                    |          |        | <p>Amend <b>H12.8.1 (1) (c)</b> to “(c) the effects of location, design and management of storage and servicing facilities on nearby residential properties, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and”</p> <p>Amend <b>H12.8.1 (2) (a)</b> to “(a) the compatibility of the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site, with the existing and expected future surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.”</p> <p>Amend <b>H12.8.1 (2) (b)</b> to “(b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on pedestrian safety”.</p> <p>Delete <b>H12.8.1 (3) (a)</b> entirely.</p> <p>Amend <b>H12.8.1 (3) (c)</b> to “(c) the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of the opportunities for passive surveillance of the street from the ground floor of buildings.” (i.e., removing (i) and (ii)).</p> <p>Delete <b>H12.8.1 (3) (g)</b> entirely.</p> <p>Amend <b>H12.8.1 (4) (a)</b> to “(a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces, having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on pedestrian safety;”</p> <p>Delete <b>H12.8.1 (5) (a)</b> entirely.</p> <p><b>Mixed Use</b></p> <p>Amend <b>H13.8.1 (1) (a)</b> to “(i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and (ii) the effects of the operation of the activity on the existing and expected surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.”</p> <p>Amend <b>H13.8.1 (1) (b)</b> to “(b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on pedestrian safety”.</p> <p>Amend <b>H13.8.1 (1) (c)</b> to “(c) the effects of location, design and management of storage and servicing facilities on nearby residential properties, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and”</p> <p>Amend <b>H13.8.1 (2) (a)</b> to “(a) the compatibility of the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site, with the existing and expected future surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.”</p> <p>Amend <b>H13.8.1 (2) (b)</b> to “(b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on pedestrian safety”.</p> <p>Delete <b>H13.8.1 (3) (a)</b> entirely.</p> <p>Amend <b>H13.8.1 (3) (c)</b> to “(c) the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of the opportunities for passive surveillance of the street from the ground floor of buildings.” (i.e., removing (i) and (ii)).</p> |

| ID | Chapter / sub-part | Specific provision | Position | Reason | Relief sought   |
|----|--------------------|--------------------|----------|--------|---|
|    |                    |                    |          |        | <p>Delete <b>H13.8.1 (3) (g)</b> entirely.</p> <p>Amend <b>H13.8.1 (4) (a)</b> to “(a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces, having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on pedestrian safety;”</p> <p>Delete <b>H13.8.1 (5) (a)</b> entirely.</p> <p><b>General Business</b></p> <p>Amend <b>H14.8.1 (1) (a)</b> to “(i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and (ii) the effects of the operation of the activity on the existing and expected surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.”</p> <p>Amend <b>H14.8.1 (1) (b)</b> to “(b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on pedestrian safety”.</p> <p>Amend <b>H14.8.1 (1) (c)</b> to “(c) the effects of location, design and management of storage and servicing facilities on nearby residential properties, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and”</p> <p>Amend <b>H14.8.1 (2) (a)</b> to “(a) the compatibility of the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site, with the existing and expected future surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.”</p> <p>Amend <b>H14.8.1 (2) (b)</b> to “(b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on pedestrian safety”.</p> <p>Delete <b>H14.8.1 (4) (a)</b> entirely.</p> <p>Amend <b>H14.8.1 (4) (c)</b> to “(c) the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of the opportunities for passive surveillance of the street from the ground floor of buildings.” (i.e., removing (i) and (ii)).</p> <p>Delete <b>H14.8.1 (4) (g)</b> entirely.</p> <p>Amend <b>H14.8.1 (5) (a)</b> to “(a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces, having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on pedestrian safety”.</p> <p>Delete <b>H14.8.1 (6) (a)</b> entirely.</p> <p><b>Business Park</b></p> <p>Amend <b>H15.8.1 (1) (a)</b> to “(i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and (ii) the effects of the operation of the activity on the existing and expected surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.”</p> |

| ID | Chapter / sub-part                           | Specific provision   | Position       | Reason   | Relief sought  |
|----|--|--|----------------|--|--|
|    |  |  |                |  | <p>Amend <b>H15.8.1 (1) (b)</b> to “(b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on pedestrian safety”.</p> <p>Amend <b>H15.8.1 (1) (c)</b> to “(c) the effects of location, design and management of storage and servicing facilities on nearby residential properties, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and”</p> <p>Delete <b>H15.8.1 (3) (a)</b> entirely.</p> <p>Amend <b>H15.8.1 (3) (c)</b> to “the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of the opportunities for passive surveillance of the street from the ground floor of buildings.” (i.e., removing (i) and (ii)).</p> <p>Delete <b>H15.8.1 (3) (g)</b> entirely.</p>  |
| 36 | H10.<br>H11.<br>H12.<br>H13.<br>H14.<br>H15. | H11.8.1 (2)<br>H12.8.1 (2)<br>H13.8.1 (2)<br>H14.8.1 (2)<br>H15.8.1 (3)  | Oppose         | HUD considers that the cost of “centres hierarchy” policies generally outweigh their benefits. This does not imply that the scale of commercial activities is not a relevant consideration for different centre zones, but only that provisions which seek to maintain the vitality of centres by restricting commercial activity in other centres should not be included in the plan. | <p><b>Local Centre</b><br/>Delete <b>H11.8.1 (2) (c)</b> entirely.</p> <p><b>Neighbourhood Centre</b><br/>Delete <b>H12.8.1 (2) (c)</b> entirely.</p> <p><b>Mixed Use</b><br/>Delete <b>H13.8.1 (2) (c)</b> entirely.</p> <p><b>General Business</b><br/>Delete <b>H14.8.1 (2) (c)</b> entirely.</p> <p><b>Business Park</b><br/>Delete <b>H14.8.1 (3) (b)</b> entirely.</p>   |
| 37 | H3.<br>H4.<br>H5.<br>H6.                     | H3.8.1 (2)<br>H4.8.1 (4)<br>H4.8.2 (2)<br>H4.8.2 (3)<br>H5.8.1 (4)<br>H5.8.2 (2)<br>H5.8.2 (3)<br>H6.8.1 (4)<br>H6.8.2 (2) | Oppose in part | Where an activity is restricted discretionary due to non-compliance with a relevant standard, HUD considers that matters of discretion should be limited to the effects of non-compliance with that specific standard, rather than the effects of the activity in its entirety.  | <p>Broadly, HUD seeks that where an activity is restricted discretionary due to non-compliance with a relevant standard, the matters of discretion should be limited to the effects of non-compliance with that specific standard. This includes the relief outlined below.</p> <p><b>Single House</b><br/>Amend <b>H3.8.1 (2) (d)</b> to insert “of the infringement” after “effects”.<br/>Amend <b>H3.8.1 (2) (e)</b> to insert “of the infringement” after “effects”.</p> <p><b>Mixed Housing Suburban</b><br/>Amend <b>H4.8.1 (4) (d)</b> to insert “of the infringement” after “effects”.<br/>Amend <b>H4.8.1 (4) (e)</b> to insert “of the infringement” after “effects”.<br/>Amend <b>H4.8.2 (2) (a)</b> to insert “for buildings that do not comply with a relevant standard in Table H.4.4.1,” before “the extent”.<br/>Amend <b>H4.8.2 (3) (a)</b> to insert “for buildings that do not comply with a relevant standard in Table H.4.4.1,” before “the extent”.</p> <p><b>Mixed Housing Urban</b><br/>Amend <b>H5.8.1 (4) (d)</b> to insert “of the infringement” after “effects”.</p> |

| ID                       | Chapter / sub-part                           | Specific provision   | Position       | Reason  | Relief sought   |
|--------------------------|--|--|----------------|---|---|
|                          |  |  |                |   | <p>Amend <b>H5.8.1 (4) (e)</b> to insert “of the infringement” after “effects”.</p> <p>Amend <b>H5.8.2 (2) (a)</b> to insert “for buildings that do not comply with a relevant standard in Table H.5.4.1,” before “the extent”.</p> <p>Amend <b>H5.8.2 (3) (a)</b> to insert “for buildings that do not comply with a relevant standard in Table H.5.4.1,” before “the extent”.</p> <p><b>Terrace Housing and Apartment Buildings</b></p> <p>Amend <b>H6.8.1 (4) (d)</b> to insert “of the infringement” after “effects”.</p> <p>Amend <b>H6.8.1 (4) (e)</b> to insert “of the infringement” after “effects”.</p> <p>Amend <b>H6.8.2 (2) (a)</b> to insert “for buildings that do not comply with a relevant standard in Table H.6.4.1,” before “the extent”.</p> |
| 38                       | H10.<br>H11.<br>H12.<br>H13.<br>H14.<br>H15. | H10.8.1 (6)<br>H11.8.1 (8)<br>H12.8.1 (7)<br>H13.8.1 (7)<br>H14.8.1 (7)<br>H15.8.1 (4) | Oppose in part | Where an activity is restricted discretionary due to non-compliance with a relevant standard, HUD considers that matters of discretion should be limited to the effects of non-compliance with that specific standard, rather than the effects of the activity in its entirety.   | <p><b>Town Centre</b></p> <p>Amend <b>H10.8.1 (6) (d)</b> to insert “of the infringement” after “effects”.</p> <p><b>Local Centre</b></p> <p>Amend <b>H11.8.1 (8) (d)</b> to insert “of the infringement” after “effects”.</p> <p><b>Neighbourhood Centre</b></p> <p>Amend <b>H12.8.1 (7) (d)</b> to insert “of the infringement” after “effects”.</p> <p><b>Mixed Use</b></p> <p>Amend <b>H13.8.1 (7) (d)</b> to insert “of the infringement” after “effects”.</p> <p><b>General Business</b></p> <p>Amend <b>H14.8.1 (7) (d)</b> to insert “of the infringement” after “effects”.</p> <p><b>Business Park</b></p> <p>Amend <b>H15.8.1 (4) (d)</b> to insert “of the infringement” after “effects”.</p>  |
| 39                       | H14  | H14.8.1 (3)  | Oppose in part | This provision’s meaning is unclear. HUD requests that it is removed entirely or that it’s meaning is clarified. In particular, if the intention is for food and beverage activities which would improve the feasibility of nearby high-intensity residential development to be more easily consented, we would request that that is spelt out. | <p><b>General Business</b></p> <p>Delete <b>H14.8.1 (3) (a)</b> entirely or amend to clarify its meaning.</p>   |
| <i>Special character</i> |  |  |                |   |   |
| 40                       | D18.   | Map – Special Character Overlay Residential and Business                               | Oppose in part | The threshold for imposing special character constraints could be raised to only protect the most exceptional sites, due to strong evidence of the high costs of special character provisions relative to the benefits, particularly in areas with high levels of access to jobs, transport, and amenity.                                       | <p>If it is considered that within the current legislative context, there is a need to retain special character provisions, HUD seeks the below relief.</p> <p>HUD seeks that residential special character provisions:</p> <ul style="list-style-type: none"> <li>• Only apply to sites that are rated six out of six (according to Auckland Council’s previously established methodology), rather than five out of six, and not apply to other sites within an area that are not rated a six out of six.</li> <li>• Only apply within areas where 75% of sites outside walkable catchments, and 80% of sites within walkable catchments, are rated a six out of six for special character.</li> </ul>   |

| ID  | Chapter / sub-part  | Specific provision  | Position                   | Reason  | Relief sought  |
|---|---|---|----------------------------|---|--|
|   |   |   |                            |   | <p>HUD seeks that business special character provisions:</p> <ul style="list-style-type: none"> <li>• Only apply to sites that are character defining (according to Auckland Council's previous established methodology) and not apply to other sites within an area that are not character defining.</li> <li>• Do not apply outside of the business special character areas identified in PC120 as notified.</li> </ul>  |
| <i>Viewshafts and Height and Building Sensitive Areas</i> |   |   |                            |   |  |
| 41  | Map – Local Maunga Viewshafts Overlay, Regional Maunga Viewshafts And Height and Building Sensitive Areas Overlay | N/A   | Neither support nor oppose | Viewshafts and Height and Building Sensitive Areas have benefits, but also costs, that should be considered together. Consideration should be given to whether the rationale for each Maunga Viewshaft and Height and Building Sensitive Area remains sufficiently strong to justify the retention of each protection, or whether the spatial extent could be altered to retain the benefits of the protections at a lower economic cost. | <p>HUD requests that further consideration be given to:</p> <ul style="list-style-type: none"> <li>• Whether the rationale for each Maunga Viewshaft and HBSA remains sufficiently strong to justify the retention of the viewshaft.</li> <li>• Whether any viewshafts could be narrowed or shifted to retain the benefits of the viewshaft at a lower economic cost.</li> <li>• Whether the spatial extents of the HBSAs could be re-examined in light of the additional controls.</li> </ul>   |
| <i>Upzoning rapid transit</i>                             |   |   |                            |   |  |
| 42  | Map – rapid transit stops and walkable catchments   | N/A   | Support in part            | Enabling building heights of at least 6 storeys within at least a walkable catchment of the stops on Te Ara Hāuauru – the proposed Northwest busway is a requirement under Policy 3(c)(i) of the NPS-UD.  | <p>HUD seeks that the proposed stops (as identified in the notices of requirement lodged in December 2025) are designated as rapid transit stops by PC120 (Brigham Creek, Westgate, Lincoln Road, Royal Road, Te Atatū, Point Chevalier and Western Springs).</p> <p>At a minimum, HUD seeks that live zoned sites within a walkable catchment of these stations should be upzoned to enable building heights of at least 6 storeys in accordance with the NPS-UD. HUD seeks that a walkable catchment is applied consistently with other rapid transit stops (i.e., currently, 800m).</p> |
| <i>Natural hazards</i>                                    |   |   |                            |   |  |
| 43  | E36 Natural hazards and flooding  | Map – floor plains, coastal erosion, and coastal inundation | Neither support nor oppose | A proportionate approach to natural hazards means taking a targeted approach. A less targeted approach may limit development capacity to an extent that is not proportionate to the level of natural hazard or risk.  | HUD seeks that PC120 be amended to be clear that where a site is only partially covered by a natural hazard overlay, the natural hazard provisions do not apply to the part of the site that is not covered by the natural hazard overlay.   |
| 44  | E36 Natural hazards   | N/A   | Neither support            | It is important that the Council can rely on the best information available, including responding to new information, when assessing the risk category.   | <p>Introduce provisions in Chapter E36 Natural hazards and flooding to clearly provide:</p> <ul style="list-style-type: none"> <li>• The information on the Council's Geomaps is indicative only;</li> </ul>   |

| ID | Chapter / sub-part | Specific provision | Position   | Reason | Relief sought   |
|----|--------------------|--------------------|------------|--------|---|
|    | and flooding       |                    | nor oppose |        | <ul style="list-style-type: none"> <li>• When third-party site-specific assessments will be required;</li> <li>• That when a third-party site-specific assessment is accepted by Council that this information will be used to confirm the risk category and activity status of a proposal; and</li> <li>• That Auckland Council will update the Geomaps with third-party site-specific information that has been accepted by the Council.</li> </ul> |

# Part Two: Land for Housing Programme: Ex-MIT North Campus Site

## SUPPORTING MATERIAL

- **Appendix One:** Amended Planning Maps showing the change in zoning pattern sought by HUD.
- **Appendix Two:** Section 32AA evaluation report to support the change in zoning.
- **Appendix Three:** Reference Scheme. This shows a potential development scenario based on the requested zoning.
- **Appendix Four:** Stormwater Technical Memo. This confirms that the flood plain areas shown by PC120 mapping are correctly applied to the site and that residential development consistent with THAB zoning will be able to adequately accommodate these hazards.
- **Appendix Five:** Ministry of Education Letter of Support. This confirms that the MIT North Block is no longer needed by the Ministry of Education for the purpose of a 'school' and has not been utilised for that purpose since the sale of the site to MIT in 2012.

## EXECUTIVE SUMMARY

94. HUD owns several properties within the Ōtara suburb of Auckland. This includes the 'MIT North Block' which comprises the following properties:
  - a. 67S Ōtara Road, Ōtara; and
  - b. 39 Alexander Crescent, Ōtara.
95. The two properties together are approximately 3 ha in size and located within Ōtara, approximately 500 m north of the Ōtara town centre. They were previously developed and used as a tertiary education campus as part of the Manukau Institute of Technology (MIT). The properties were no longer required by MIT following the educator's relocation to Manukau and were sold to HUD in 2019 to be repurposed for housing.
96. The MIT North Block is now no longer tenanted but still contains the classrooms and administration buildings from its past use which are in a derelict state. An aerial of the site is included as **Figure One**.
97. The MIT North Block is zoned *Special Purpose – School Zone and Special Purpose – Tertiary Education Zone* under the Auckland Unitary Plan – Operative in Part (AUPOiP), despite it no longer being used for education.
98. PC120 proposes to retain the MIT North Block zoning as it is currently provided for under the AUPOiP, with no changes to either the zone or the extent of the zone over the site, as shown in **Figure Two** below. We understand the Council has not turned its

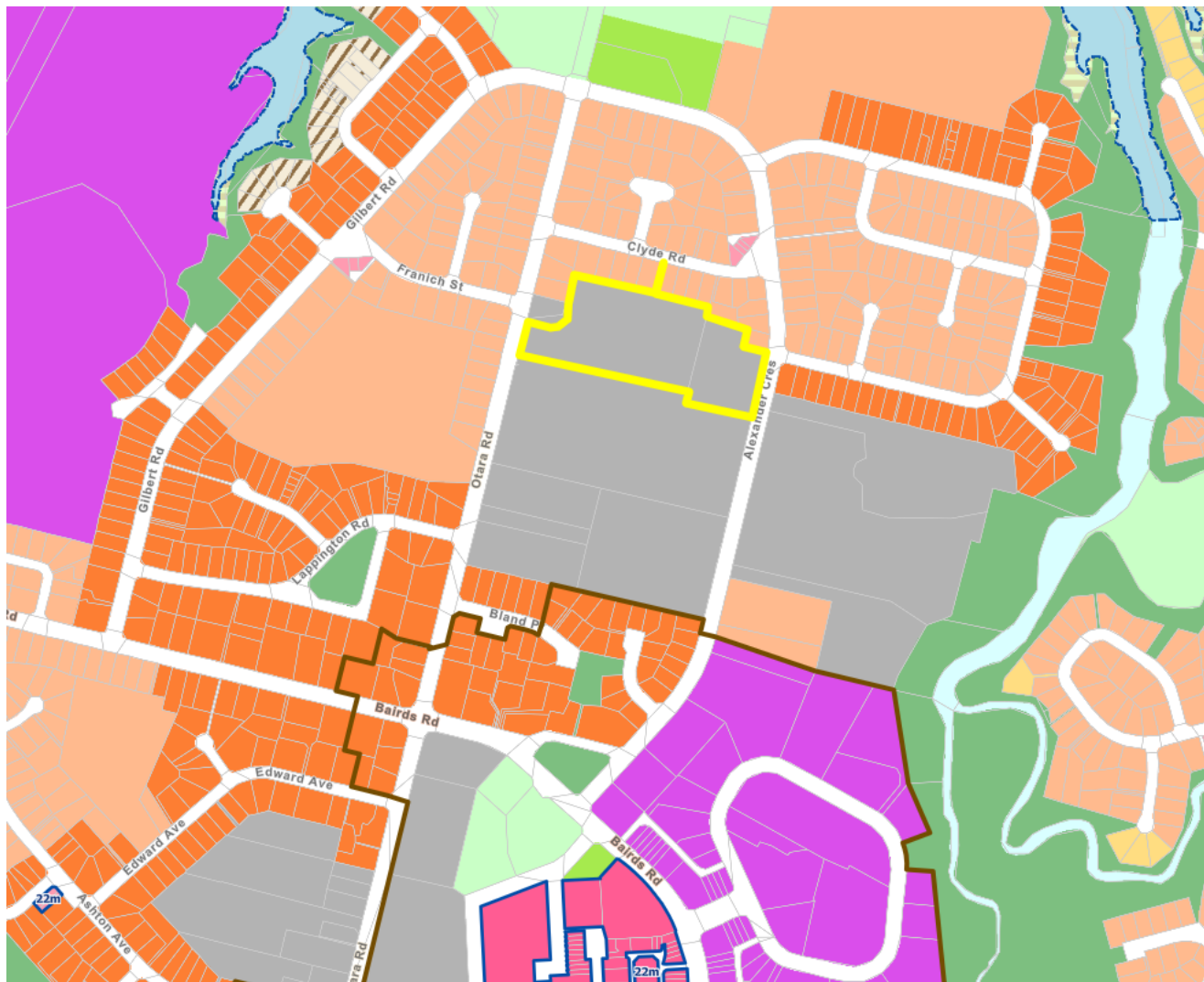
mind to the appropriate zoning of these sites as part of PC120 and has maintained the Special Purpose – Tertiary Education zone even though it is no longer appropriate.

99. HUD seeks that the MIT North Block be zoned *Residential – Terrace Housing and Apartment Buildings* ('THAB') zone under PC120 to enable residential development of the site in a suitable location for residential intensification.
100. The proposed zoning pattern is illustrated within **Appendix One** of this submission. HUD does not seek amendments to the provisions of the THAB zone and supports the 22 m permitted height.

*Figure One: Site aerial of the MIT North Block*



Figure Two: Zoning of MIT North Block and surrounding area as proposed by PC120



## SUBMISSION

### Submission and reasons for relief sought

101. Plan Change 120 (PC120) was notified by Council on 3 November 2025, replacing Plan Change 78 to the AUPOiP and intended to give effect to the requirements in the National Policy Statement on Urban Development (NPS-UD) and the Resource Management (Consenting and Other System Changes) Amendment Act 2025 (RM-COSC).
102. PC120 proposes that the MIT North Block retain its current zoning under the AUPOiP as:
  - a. Special Purpose – School Zone;
  - b. Special Purpose – Tertiary Education Zone
103. HUD opposes the retention of the current zoning of the MIT North Block on the basis that it is no longer appropriate or reflective of the current intended use of the site or the public purpose for which it is held.

104. HUD seeks that the extent of the THAB zone on the fringe of the Ōtara town centre be extended to apply to the entirety of the MIT North Block. HUD considers this relief is appropriate for the reasons set out below:
- a. The Section 32 ('S32') report prepared by Council for the AUPOiP's Special Purpose (SP) zones, did not investigate whether retention of SP zoning across the MIT North Block remains appropriate for the land areas it covers. Rather, the S32 sought to determine what activities enabled under the SP zones may require modification to their standards to enable further intensification. As such, the relevancy of SP zoning was not sufficiently evaluated by Council prior to PC120 being notified.
  - b. The MIT North Block is no longer used for education purposes and was repurposed for housing when it was sold to HUD in 2019. MOE approved this sale as detailed in the letter included as **Appendix Five**. SP zoning should function to enable education uses whilst the activity occurs onsite, but it is not an efficient use of land to retain that zoning if the land is no longer required for or no longer being used for that activity.
  - c. Rezoning the site as THAB is appropriate to reflect the change in use, and would create a contiguous zoning pattern with adjoining and surrounding THAB-zoned land on the fringe of the Ōtara town centre, as per the current zoning pattern of the AUPOiP.
  - d. The changes to the RMA introduced by RM-COSC enable the Council to rezone land as residential land. In carrying out its functions under s77G, a specified territorial authority can create a "new residential zone" (s 77G(4) – being an area proposed to become a relevant residential zone that is not shown in a district plan as a residential zone).
  - e. RM-COSC and NPS-UD, and consequently PC120, seek to enable greater intensity of development in appropriate locations. The MIT North Block is a large site that is no longer suited to its current zoning on account of its change in land use. It is prime development land that is well suited to higher intensity residential use and development on account of its location being within 800 m of Ōtara town centre and transport facilities, and is adjacent to land proposed to be zoned THAB by PC120.
  - f. MIT North Block already anticipates development between 12 m and 24 m in height (depending on proximity to residential or open space zones) as per the Building Height standards for the Special Purpose – School and Tertiary Education zones. The relief sought by HUD to amend the zoning of the MIT North Block from the SP zones to THAB zone and enabling development up to six storeys (22 m), would be appropriate in the context of the development currently enabled on the site, the size of the site, and its interface with adjoining properties (including the school site to the south and residential to the north).
  - g. The THAB zone should be applied, as this site presents a good opportunity to accommodate intensified residential development in close proximity to the presence of amenities and public transport giving effect to Policy 1(c) of the NPS-UD. The proposed THAB zoning aligns with, and complements, the Council's

stated approach through PC120 of increasing THAB zoning around existing town centres with high accessibility which Ōtara is defined as under PC120.

- h. A Preliminary Section 32AA evaluation has been undertaken to support the relief sought by HUD for the MIT North Block and is included as **Appendix Two** of this submission. The evaluation concluded that THAB zoning was the best option for the MIT North Block, with the ability to deliver the greatest supply of housing in a manner that was economically viable and able to deliver multiple additional cultural, community and environmental benefits. This option presents the best opportunity to apply an appropriate zoning that will give effect to the NPS-UD and the purpose of PC120 in enabling residential intensification in an appropriate location.
- i. MIT North Block is of a reasonable scale that can be comprehensively developed. The favourable topography, aspect and proximity to the Ōtara town centre and the Ōtara transport centre and transport facilities means it is well suited to high-density residential development. A reference scheme analysing the site and demonstrating how it could be developed for residential use based on best-practice urban design principles is included as **Appendix Three**.
- j. The flooding hazards which apply to the MIT North Block can be accommodated and designed for to enable future site development in line with the proposed THAB zoning, as confirmed by the stormwater assessment made in **Appendix Four**. This assessment confirms that the mapped hazards are correctly applied to the site, however, any future residential development consistent with the THAB provisions can accommodate these hazards and will not exacerbate their adverse effects on the subject site or any areas downstream.

#### **HUD seeks the following decisions from the Council:**

105. Accordingly, HUD seeks the following relief in respect of the MIT North Block:

- a. That the Council amends the zoning of the MIT North Block from Special Purpose – Tertiary and Special Purpose – School to Terrace Housing and Apartment Buildings zone in line with **Appendix One**; and
- b. Retain the 22 m permitted height in the THAB zone; and
- c. Retain the mapped Flood Hazard areas which apply to the site as they have been accurately identified and mapped, in line with the assessment made within **Appendix Four**; and
- d. Such other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of HUD; or
- e. Such other alternative relief to satisfy the concerns of HUD.

**APPENDIX ONE: HUD'S PROPOSED ZONING PATTERN FOR MIT NORTH**

**APPENDIX TWO: PRELIMINARY SECTION 32AA FOR MIT NORTH BLOCK**

**APPENDIX THREE: TERRACE HOUSING AND APARTMENT BUILDINGS REFERENCE SCHEME FOR MIT NORTH BLOCK**

**APPENDIX FOUR: STORMWATER TECHNICAL MEMO**

**APPENDIX FIVE: MINISTRY OF EDUCATION LETTER OF SUPPORT**

# Part Three: Land for Housing Programme: Ex-MIT South Campus Site

## SUPPORTING MATERIAL

- **Appendix Six:** Amended Planning Maps showing the change in zoning pattern sought by HUD.
- **Appendix Seven:** Section 32AA evaluation report to support the change in zoning.
- **Appendix Eight:** Reference Scheme. This shows a potential development scenario based on the requested zoning.
- **Appendix Nine:** Stormwater Technical Memo. This confirms that the flood plain areas shown by PC120 mapping are incorrectly applied to the site.

## EXECUTIVE SUMMARY

106. HUD owns a number of properties within the Ōtara suburb of Auckland. This includes the 'MIT South Block' which comprises the following properties:
- a. 3 Ōtara Road, Ōtara;
  - b. 5 Ōtara Road, Ōtara and;
  - c. 7 Ōtara Road, Ōtara.
107. The three properties combined cover an area just over 5 ha in size and are located immediately adjacent to the Ōtara town centre. They were developed and used as a tertiary education campus, most recently as part of the Manukau Institute of Technology (MIT). The properties were no longer required by MIT following the educator's relocation to Manukau, and so were sold to HUD in 2019 to be repurposed for housing. The MIT South Block is completely vacant, featuring several multi-storey education facilities and administration buildings that were previously used for educational purposes. An aerial of the site is included as **Figure Three**.
108. Ownership of the MIT South Block has changed, as has the public purpose for which the parcels are held, shifting from education to housing. As a result, the statutory scheme no longer anticipates an education outcome, and it is appropriate for the zoning to be updated to reflect this new purpose. HUD considers the Ōtara town centre a strong candidate for regeneration and has met with Auckland Council to discuss coordination on this objective, given the opportunity to work together on outcomes for our adjacent land parcels. Regardless of the timing of town centre regeneration, enabling the adjacent land to be redeveloped is crucial to achieving a successful urban outcome in this location.
109. The outdated zoning, along with the presence of large derelict buildings including multi-storey administration blocks, lecture theatres, workshops and ancillary buildings, has contributed to ongoing social issues. The vacant site continues to attract anti-social behaviour such as break-ins, graffiti, vandalism and multiple arson incidents. These recurring problems have generated negative community feedback and pose ongoing health and safety risks that cannot be adequately managed long term under current conditions, affecting the wellbeing of the local community.

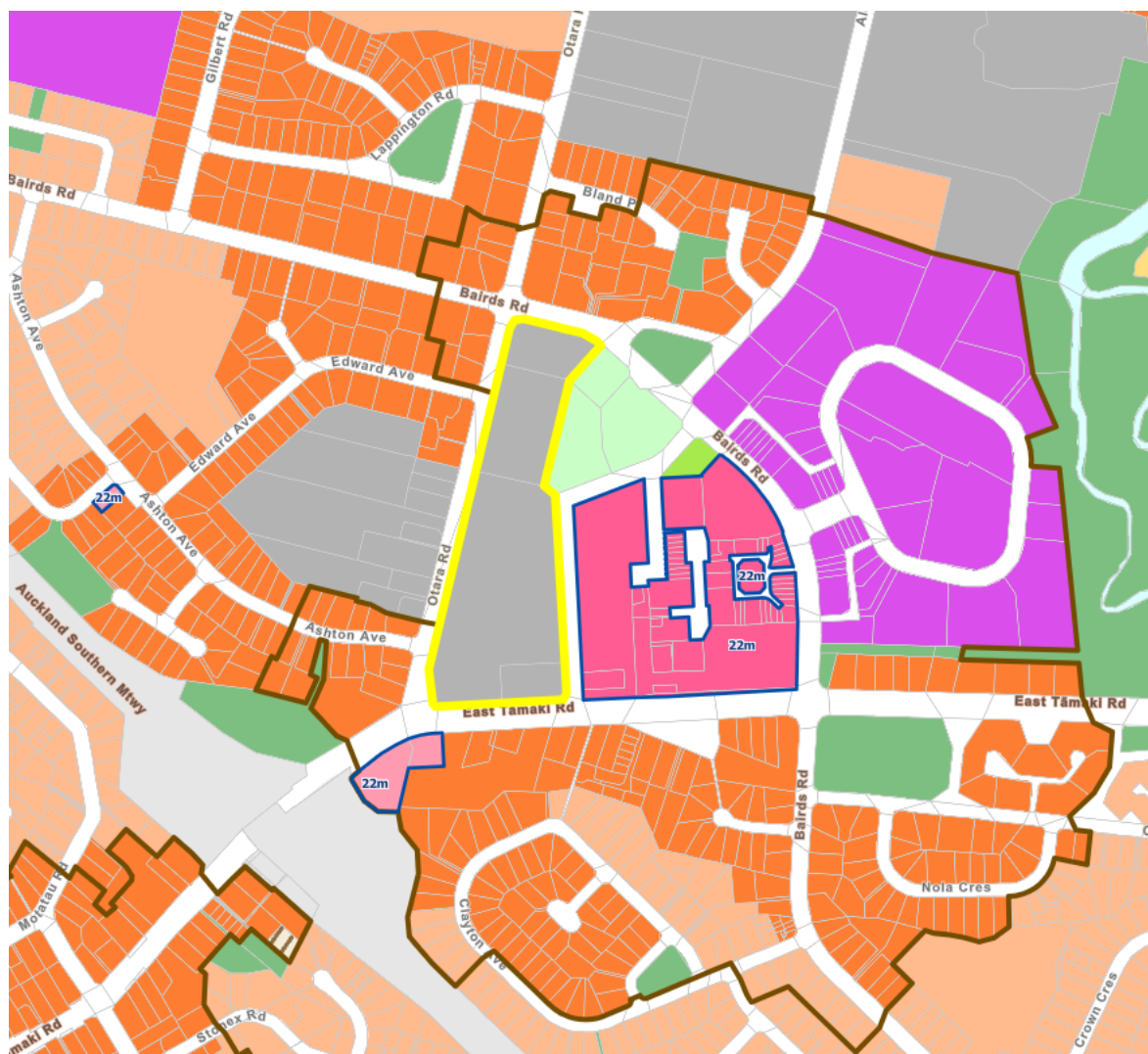
110. Removing the zoning barrier, also makes the case for addressing the derelict buildings and associated deterioration issues stronger, as it helps reset the land for future development.
111. The MIT South Block is zoned *Special Purpose – Tertiary Education Zone* under the Auckland Unitary Plan – Operative in Part (AUPOiP), despite it no longer being used for education.
112. PC120 proposes to retain the MIT South Block zoning as it is currently provided for under the AUPOiP, with no changes to either the zone or extent of the zone over the site, as shown in Figure Four below. The MIT South Block is located within the area identified as being adjacent to the Ōtara town centre under policy 3(d) of the National Policy Statement on Urban Development 2020 (NPS-UD), which requires building heights and densities commensurate with the level of commercial activity and community services. We understand the Council has not turned its mind to the appropriate zoning of these sites as part of PC120, and therefore this submission states that the Special Purpose – Tertiary Education zone is no longer considered appropriate for the MIT South block.
113. In this submission, HUD seeks that the site be rezoned to reflect that it is no longer used for education purposes and for a zoning to be applied that enables an efficient use of land held as a public work for housing purposes and also clearly aligns with the attributes of its strategic town centre location. HUD seeks that:
- a. 3 Ōtara Road is zoned as Business – Mixed Use (MU) zone under PC120; and
  - b. 5 and 7 Ōtara Road are zoned as Terrace Housing and Apartment Buildings (THAB) zone under PC120; and
  - c. Retention of the MIT South Block within the area identified as being adjacent to the Ōtara town centre under policy 3(d) of the NPS-UD; and
  - d. The permitted 22 m height (six storeys) for the THAB zone be retained; and
  - e. The permitted 18 m height (five storeys) for the MU zone be retained.

The proposed zoning pattern is illustrated within **Appendix Six** of this submission.

Figure Three: Site aerial of the MIT South Block



Figure Four: Zoning of MIT South Block and surrounding area as proposed by PC120



## SUBMISSION

### Submission and reasons for relief sought

114. Plan Change 120 (PC120) was notified by Council on 3 November 2025, replacing Plan Change 78 to the AUPOiP and intended to give effect to the requirements in the NPS-UD and the Resource Management (Consenting and Other System Changes) Amendment Act 2025 (RM-COSC).
115. PC120 proposes that the MIT South Block retain its current zoning under the AUPOiP as *Special Purpose – Tertiary Education Zone*.
116. HUD opposes the retention of the current zoning of the MIT South Block on the basis that it is no longer appropriate or reflective of the current and intended use of the site or the public purpose for which it is held.
117. HUD seeks that the extent of the THAB zone on the fringe of the Ōtara town centre be extended to apply to 5 and 7 Ōtara Road, and MU to apply to 3 Ōtara Road. HUD considers these two zones are appropriate for the reasons set out below:
  - a. The Section 32 ('s32') report prepared by Council for the AUPOiP's Special Purpose (SP) zones, did not investigate whether retention of SP zoning over the MIT South Block remains appropriate for the land areas it covers. Rather, the S32

sought to determine what activities enabled under the SP may require modification to their standards to enable further intensification. As such, the relevancy of SP zoning was not sufficiently evaluated by Council prior to PC 120 being notified.

- b. SP zoning was appropriate when education activity was conducted on the site. However, it has been many years since the MIT South Block has been used for education purposes due to the relocation of MIT. SP zoning should function to enable land use for educational purposes while that activity occurs, or is intended to continue occurring, on that site. However, it is an inefficient planning outcome to retain the SP zoning given the land is no longer being used for the activity that the SP zoning enabled.
- c. The RM-COSC and NPS-UD, and consequently PC120, seek to enable greater intensity of development in appropriate locations. The MIT South Block is a large site that is no longer suited to its current zoning and is prime development land for residential activity, given it is adjacent to the Ōtara Town Centre. This development potential could be, and should be, enabled by the Council through its IPI.
- d. Granting the relief sought by HUD and rezoning the MIT South Block with a residential zoning, and specifically THAB and Mixed Use, would result in a planning outcome that is consistent with, and would give effect to Policy 1(c) and Policy 3(d) of the NPS-UD.
- e. The proposed MU zone for the site at 3 Ōtara Road would give effect to Policy 3(d) of the NPS-UD by enabling commercial and residential activity and support comprehensive development around the Town Centre. The proposed THAB zoning aligns with, and complements, the Council's stated approach through PC120 of increasing THAB zoning around existing town centres with high accessibility, which Ōtara is defined as under PC120.
- f. Rezoning 5 and 7 Ōtara Road as THAB is appropriate to reflect the change in use, and would create a contiguous zoning pattern with adjoining and surrounding THAB-zoned land adjacent to the Ōtara town centre, as per the current zoning pattern of the AUPOiP.
- g. Policy 1(c) requires that planning decisions contribute to well-functioning urban environments which have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport. The THAB and MU zoning sought by HUD will enable a level of development that provides additional variety of housing and commercial services that have good accessibility to commercial opportunities, community services, open spaces and public transport connections provided by the Ōtara town centre. This additional housing and commercial capacity that rezoning the MIT South Block will enable will contribute to Ōtara being a well-functioning urban environment.
- h. The THAB zone is consistent with the Council's proposal to apply the modified THAB zone to residential areas up to 400 m, or a walkable catchment, from smaller or larger town centres with high accessibility. The Ōtara Town Centre is identified as a town centre with high accessibility and so qualifies for a 400 m walkable catchment. The site is between 10 m-200 m from the town centre, is identified within the area subject to Policy 3(d) in PC120, and qualifies for commensurate residential intensification.

- i. The THAB zone also provides for non-residential activities that provide for the community's social, economic and cultural well-being, which will support the residential activity enabled under the plan change and complement the Town Centre to provide for additional commercial services and access to goods as part of a well-functioning urban environment.
- j. The MU zone provides for non-residential activities that provide for the community's social, economic and cultural well-being, which will support the residential activity enabled under the plan change and complement the Town Centre to provide for additional commercial services and access to goods as part of a well-functioning urban environment.
- k. Rezoning the MIT South Block will not impact the Notable Tree overlay provisions in the AUP which provide protection to a notable tree which is located on the site within the northern area of 5 Ōtara Road. The Notable Tree overlay is appropriate to provide this protection and can continue to do so while enabling more intensive development under a THAB zone.
- l. The application of the National Grid Corridor overlay to a small part of the site in the south-western corner of the site also does not preclude the ability to rezone and use the MIT South Block for residential or business purposes. The relevant overlay provisions provide a buffer within the corridor.
- m. A Preliminary Section 32AA evaluation has been undertaken to support the relief sought by HUD for the MIT South Block and is included as **Appendix Seven** of this submission. The evaluation concluded that THAB and MU zoning was the best option for the MIT South Block, with the ability to deliver the greatest supply of housing in a manner that was economically viable and able to deliver multiple additional economic, cultural, community and environmental benefits. This option presents the best opportunity to apply an appropriate zoning that will give effect to the NPS-UD and purpose of PC120 in enabling residential intensification in an appropriate location.
- n. Rezoning the MIT South Block is an appropriate and efficient use of a large and well-located site and the site's size and shape can achieve good urban design outcomes. A reference scheme analysing the site and demonstrating how it could be developed for residential use based on best-practice urban design principles is included as **Appendix Eight**. This illustrates that the site could enable 381 residential units to be developed, providing homes for approximately 1,028 people (assuming an average household size of 2.7 people per dwelling as per the census data from 2023)<sup>18</sup>.

118. HUD also requests the removal of the Flood Plain areas shown on 3, 5 and 7 Ōtara Road. HUD considers that these flood plain areas have been incorrectly mapped on the subject site and do not reflect the modelled flood plain areas as per Auckland Council data. This conclusion is supported by an assessment by a Stormwater Specialist, which is attached at **Appendix Nine**.

### **HUD seeks the following Decision from the Council:**

Accordingly, HUD seeks the following relief in respect of the MIT South Block:

<sup>18</sup> <https://www.stats.govt.nz/assets/Uploads/Reports/Housing-in-Aotearoa-2020/Download-data/housing-in-aotearoa-2020.pdf>

- a. Amend the zoning of the MIT South Block from Special Purpose – Tertiary Education to Terrace Housing and Apartment Buildings zone (for 5 and 7 Ōtara Road) and Business – Mixed Use zone (for 3 Ōtara Road) in line with what is shown in **Appendix Six**; and
- b. Removal of the Flood Plain areas shown on PC120 Maps on 3, 5 and 7 Ōtara Road in line with the assessment made within **Appendix Nine**; and
- c. Retain the MIT South Block within the area identified as adjacent to the Ōtara town centre under Policy 3(d); and
- d. Retain the permitted height of 22 m (six storeys) for the Terrace Housing and Apartment Buildings zoned portion of the site (five and 7 Ōtara Road); and
- e. Retain the permitted height of 18 m (five storeys) for the Business – Mixed Use zoned portion of the site (3 Ōtara Road); and
- f. Such other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of HUD; or
- g. Such other alternative relief to satisfy the concerns of HUD.

#### **APPENDIX SIX: HUD’S PROPOSED ZONING PATTERN FOR MIT SOUTH**

#### **APPENDIX SEVEN: PRELIMINARY SECTION 32AA FOR MIT SOUTH BLOCK**

#### **APPENDIX EIGHT: TERRACE HOUSING AND APARTMENT BUILDINGS REFERENCE SCHEME FOR MIT SOUTH BLOCK**

#### **APPENDIX NINE: STORMWATER TECHNICAL MEMO**

# Part Four: Land for Housing Programme: Wairaka (Te Auaunga) Precinct

## EXECUTIVE SUMMARY

119. HUD is the Applicant for Proposed Private Plan Change 94 (**PC94**) to the current Wairaka Precinct within the AUP-OP. PC94 was decided on 18 March 2025, but has now been appealed to the Environment Court.
120. HUD seeks that the Wairaka Precinct and PC94 are excluded from the scope of PC120 in their entirety, as provided for in Table 1 on Page 13 of the Section 32 Overview Evaluation Report for the Precincts Workstream.
121. HUD's submission seeks that PC94 and other Precincts are excluded from the scope of PC120 in order to:
- a. safeguard PC94, and other Precincts that have already undergone significant planning and investment;
  - b. avoid overlapping jurisdiction, given PC94 is now before the Environment Court;
  - c. avoid delays to the new homes to be delivered within this significant brownfield development opportunity, which already gives effect to the NPS-UD.
122. HUD's submission under this Part Four requires changes to PC120, as although PC120 makes PC94 subject to a 'Comprehensive Integrated Planning Outcome' overall, specific provisions within the Wairaka Precinct are identified as being subject to other qualifying matters under PC120.

## SUBMISSION

### Background to Part Four: PC94

123. HUD is the Applicant for PC94 to the Wairaka / Te Auaunga Precinct (Precinct) on Carrington Road, Mt Albert.
124. The existing Precinct comprises 64.5 hectares (ha) in the inner western suburbs of Auckland's isthmus. The Precinct is contained by Carrington Road to the east, the North Western Motorway to the north, Te Auaunga / Oakley Creek to the west, and a series of side roads and properties in the Woodward Road corridor in the south. **Figure Five** below is an aerial image showing the location of the Precinct.

Figure Five: Locality of Precinct (outlined in red) subject to PC94 (Source – Auckland Council Geomaps)



125. PC94 seeks to enable the anticipated development of the land within the Precinct under the Crown’s Treaty redress obligations to the Rōpū and iwi of Ngā Mana Whenua o Tāmaki Makaurau. As HUD is facilitating the delivery of this land for housing, through development agreements with the Rōpū and iwi and their delivery partners, it has taken the role of the Applicant in order to support planning outcomes across the land held for housing.

126. To effect those outcomes, PC94 seeks to:

- a. rezone areas of land within the Precinct;
- b. amend the Precinct provisions predominantly as they relate to specific activities and anticipated built form, including increasing the building height standards in specific locations; and
- c. replace the Precinct plans to reflect those changes, update the public vehicle and pedestrian/cycleway network, and provide a revised network of open space.

127. The Precinct presents a significant brownfield development opportunity to deliver residential housing in a strategic location on the Auckland isthmus. The Precinct is already enabled for development, but PC94 aims to enable between 4,000 to 4,500 dwellings (an increase of between 500 to 1,000 dwellings) and a population of approximately 11,000 – 12,600 people (an increase of 3,000 to 4,400 persons).
128. The expert evidence presented on behalf of HUD in support of PC94 confirms that the Precinct, as amended by PC94, will give effect to the NPS-UD.
129. Following the exchange of evidence and the completion of a hearing at the end of 2024, an Independent Commissioner Panel, appointed on behalf of Council, made the decision to approve PC94, largely adopting the provisions included in HUD's Right of Reply on 18 March 2025 (with the minor corrections provided on 15 May 2025).
130. Two appeals to the Environment Court on the Panel's decision were received in May 2025. A further nine parties joined the proceedings under section 274 of the RMA in June 2025 (including three parties which joined both appeals). At the time of preparing this submission, Environment Court-assisted mediation is scheduled to occur in February 2026.

### Impact of PC120 on the Precinct

131. It appears that PC120 intends to exclude the Precinct from its scope. This is appropriate, given the provisions of the Precinct are currently subject to PC94, which, while not yet operative, has advanced considerably under the existing statutory planning process.
132. PC120 does not propose to amend the underlying zoning of the Precinct site, and instead imposes a 'Comprehensive Integrated Planning Outcome' (**CIPO**) qualifying matter over the Precinct. This is illustrated in **Figures Six and Seven** below. The Section 32 Evaluation Report for the CIPO qualifying matter provides that its intention is *'to safeguard precincts that have undergone significant planning and investment, ensuring that further intensification does not undermine their integrated outcomes.'*<sup>19</sup>

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<sup>19</sup> Proposed Plan Change 120: Housing Intensification and Resilience – Section 32 and Schedule 3C of the Resource Management Act 1991 qualifying matter: Comprehensive Integrated Planning Outcomes – EVALUATION REPORT – Page 3.

Figure Six: PC120 Zoning of the Precinct, with 'Comprehensive Integrated Planning Outcome' Qualifying Matter (Brown Hatched) (Source – Auckland Council Plan Change 120 Map Viewer)

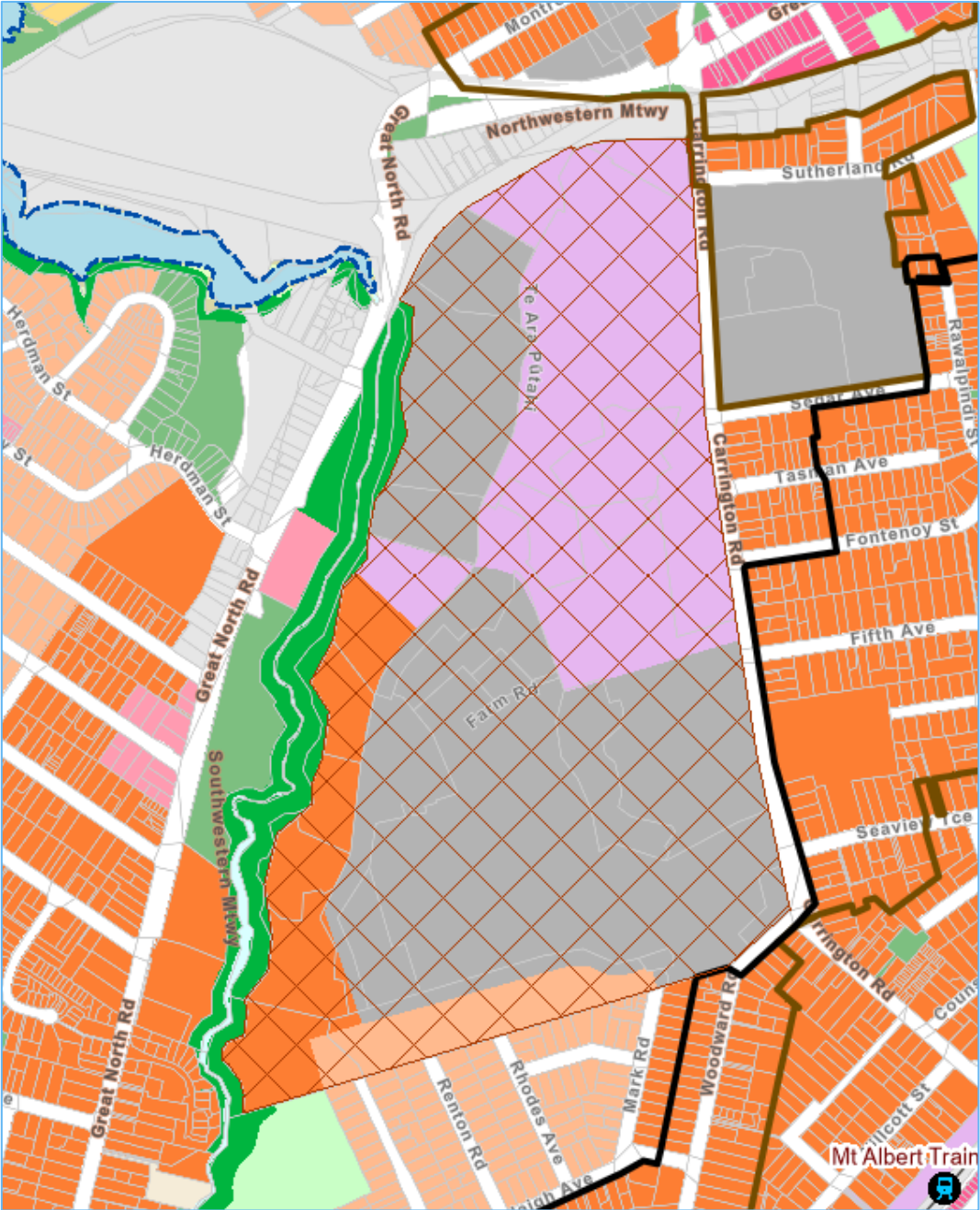
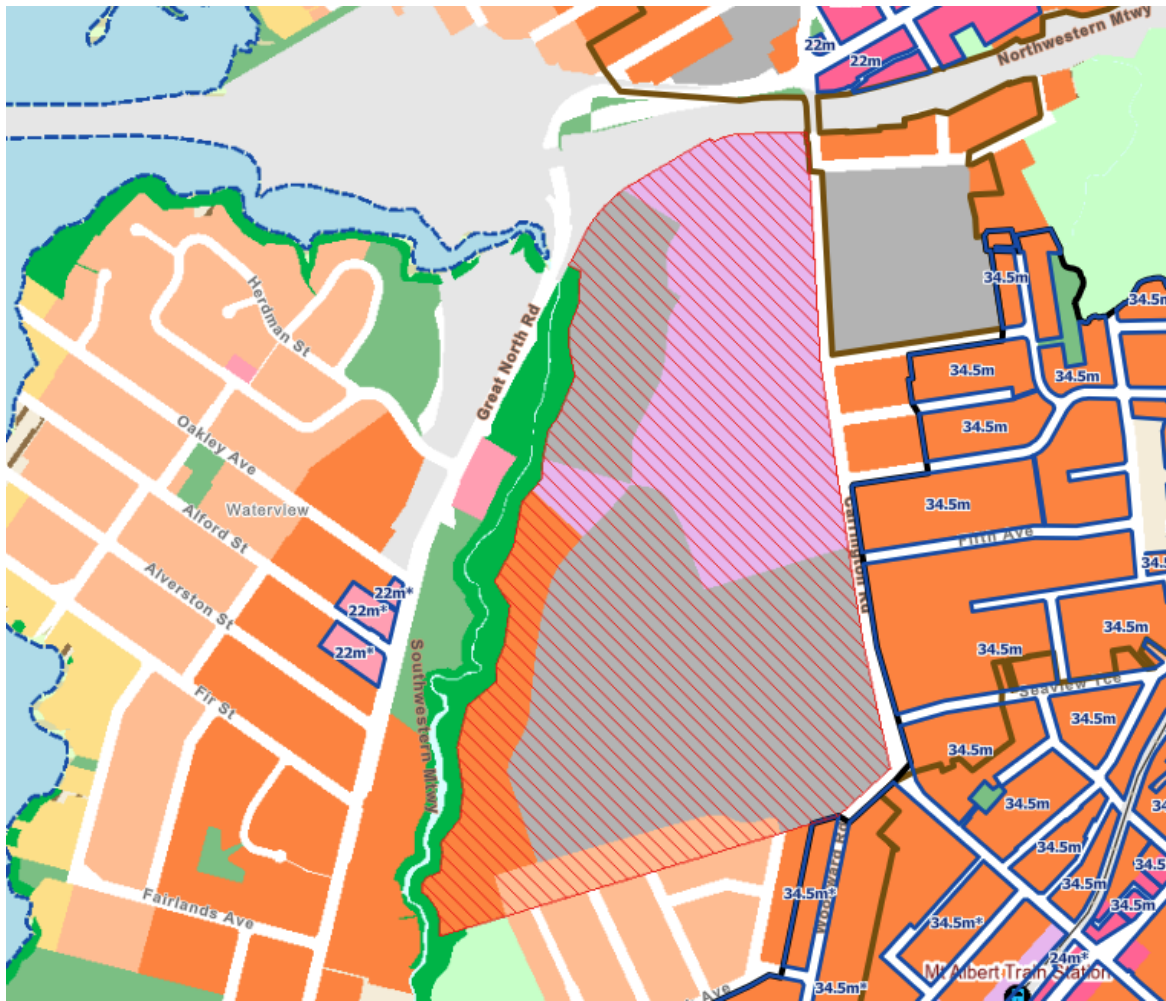


Figure Seven: PC120 Zoning of the Precinct, with 'No Rezoning Proposal' (Red Hatched)  
 (Source – Auckland Council Plan Change 120 Map Viewer)



133. There is, however, contradictory information within the Section 32 Evaluation Report for the CIPO qualifying matter and the Section 32 Overview Evaluation Report for the Precincts Workstream, in that:
- a. The Executive Summary on Page 3 of the CIPO Section 32 Report outlines that there are eight identified precincts subject to the CIPO qualifying matter, with the Wairaka Precinct not being identified.
  - b. Table 1 on Page 6 of the CIPO Section 32 Report states that eight precincts are impacted by the CIPO qualifying matter, however, it lists nine precincts including the Wairaka Precinct.
  - c. Table 1 on Page 13 of the Section 32 Overview Evaluation Report for the Precincts Workstream identifies the Wairaka Precinct as a precinct that is excluded from PC120 – as per **Figure Eight** below.

Figure Eight: Extract from the Section 32 Overview Evaluation Report for the Precincts Workstream identifies the Wairaka Precinct

| Precinct | Rationale  | Subject to Policy 3 | Auckland wide zoning response | Section B <sup>9</sup> Qualifying matter? |
|----------|--|---------------------|-------------------------------|---|
| Wairaka  | This precinct is subject to appeal; it should therefore not form part of the proposed PC120 and be subject to further intensification changes. | N/A                 | N/A                           | N/A                                       |

134. Despite being subject to a CIPO overall, specific provisions within the Wairaka Precinct are identified as being subject to other qualifying matters under PC120.

### **Scope of Submission**

135. This submission relates to the impact that PC120 has on the Wairaka Precinct. It also addresses the scope of PC120 as it pertains to existing protections within the AUP for natural resources and heritage resources.

### **HUD's Submission**

136. HUD supports the intent of safeguarding precincts that have undergone significant planning and investment, including Wairaka Precinct through PC94. The approach recognises the comprehensive planning undertaken to date, and will ensure the delivery of integrated infrastructure and a well-functioning urban environment within the Precinct.

137. PC94 is currently before the Environment Court, and overlapping jurisdiction should be avoided by excluding consideration of provisions that will be considered by that Court on the PC94 appeals through PC120. A clear separation between the processes is appropriate.

138. Significant effort and resources from a range of parties have been invested in the preparation and consideration of PC94. Allowing PC94 to form part of PC120 has the potential to frustrate the delivery of a significant brownfield development opportunity, which already gives effect to the NPS-UD, through re-litigation and the consideration of matters that have been canvassed in great detail over the last three years since PC94 was lodged. Revisiting those matters as part of this process is not sound resource management practice.

### **Decision Requested**

139. HUD seeks that the Precinct and PC94 are excluded from the scope of PC120 in their entirety, in line with Table 1 on Page 13 of the Section 32 Overview Evaluation Report for the Precincts Workstream.

### **Reasons for Relief Sought**

140. The reasons for the relief sought are to ensure that PC120:

- a. will give effect to the objectives and policies of the NPS-UD;
- b. will contribute to well-functioning urban environments;
- c. is consistent with the sustainable management of natural and physical resources and the purpose and principles of the RMA;
- d. will meet the reasonably foreseeable needs of future generations;
- e. will satisfy the requirements of section 32 of the RMA; and
- f. is consistent with sound resource management practice.