



HUD2022-000078

s 9(2)(a)

Dear s 9(2)(a)

Thank you for your email of 29 June 2022 requesting the following information under the Official Information Act 1982 (the Act):

I write to request the following document under the Official Information Act 1982 (OIA):

- *How many times and on what dates has the Auckland Partnership Political Governance Group met since the start of the year.*
- *Any and all Minutes from these meetings, by title and date.*
- *Any documents presented at these meetings by the Minister of Housing*

Where information is withheld, I request you provide the title and date of the communication withheld, the reason for refusal and the grounds in support of that reason as required by section 19(a) (i) and (ii) of the Official Information Act.

I can confirm that the Auckland Partnership Political Governance Group has met once this year on 22 March 2022.

We have identified a total of three documents within scope of your request. It should be noted that although formal minutes were not taken at this meeting, we have provided copies of the notes drafted post meeting from the agencies in attendance.

The document schedule (Annex 1) provides you with information regarding these documents, in summary, one document is being released in its entirety, with two documents being released with some information withheld under the following sections of the Act:

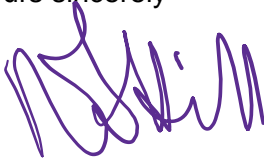
Section of Act	Reason to withhold
9(2)(f)(iv)	maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials;

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the decision to withhold information under section 9 of the Act is not outweighed by other considerations that render it desirable to make the information available in the public interest.

You have the right to seek an investigation and review of my response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website www.ombudsman.parliament.nz.

As part of our ongoing commitment to openness and transparency, the Ministry proactively releases information and documents that may be of interest to the public. As such, this response, with your personal details removed, may be published on our website.

Yours sincerely

A handwritten signature in purple ink, appearing to read 'Nic Hill', with a stylized, cursive script.

Nic Hill
Manager, Places & Partnerships Team

Annex One: Document schedule

Documents to be released			
Ref	Date	Title	Sections of the Act applied
	03/22	Notes from Auckland Council	N/A
	03/22	Annex A – Hon Woods Talking Points	9(2)(f)(iv)
	03/22	Notes from Auckland Council with HUD and KO comments	9(2)(f)(iv)

Action points

What: Political Governance Group meeting

When: Tuesday ~~33~~22 March 2022 – 8.30am – 9.30am

Where: via Zoom

Who: Hon Megan Woods – Minister of Housing
 Officials: Andrew Crisp (HUD), Saskia Patton (HUD), Natalia Tropotova (HUD)
 Katja Lietz (Kainga Ora), Ernst Zollner (Kainga Ora)

Hon Michael Wood – Minister of Transport
 Officials: Karen Lyons (MoT)

Auckland Council:
 Hon Phil Goff – Mayor of Auckland
 Cr Bill Cashmore – Deputy Mayor of Auckland
 Cr Chris Darby – Chair of Planning Committee
 Cr Richard Hills – Chair of Environment and Climate Change
 Officials: Megan Tyler, Goldie Feinberg

Action/Update	Who
1. Overall direction from Governors <ul style="list-style-type: none"> It was agreed that strategic leadership and oversight of the spatial priority areas is needed to ensure strong partnership approach and a joined-up delivery by Crown and Council. Request that all relevant Crown and Council CEs re-activate the CEs forum (or incorporate this programme of work into an existing forum) as already provided for in the ToR. Going forward the CEs group will report on progress to the JWP Governors. 	CEs
2. Auckland Housing Programme <ul style="list-style-type: none"> Minister Woods confirmed the budget proposal was being considered by Cabinet in March/early April; Reiterated the need to work in partnership, the need to confirm a shared vision and an MoU to set out this vision and our intentions; Minister Woods' office to work with the Mayoral Office to agree announcement logistics 	Minister Woods, Officials
3. Drury <ul style="list-style-type: none"> Agreement with the actions outlined in the pre-read pack (Annex 3) – the need to work in a different and more focussed way in Drury; Partnership between Crown and Council is key; Request to work with developers in a more collaborative way; 	MHUD, KO, Auckland Council, Mayoral Office

Action/Update	Who
<ul style="list-style-type: none"> Request for agility and to bring together a number of pieces of work going on across Government, including discussions with KiwiRail and regarding NZUP Officials to provide a written report to Governors in four weeks with a proposed coordinated across agencies and developers approach, including sequencing, staging, funding and financing. A follow up meeting with the Governors to endorse the report to be confirmed – Mayoral Office to arrange 	
<p>4. National Policy Statement on Urban Development</p> <ul style="list-style-type: none"> Recognition of the amount of work required for Auckland Council to meet the August 2022 notification timeframe; Qualifying matters will be the most contentious issues for the public and for Government. Recognition that qualifying matters need to be considered against the impact on capacity; Recognition that the Auckland Light Rail route and station locations are unknown, particularly in the isthmus section. Acknowledgement that value capture and intensifying in the right places along the route are key outcomes for the project. That intensification will be greater, along some parts of the route, than currently envisaged under the NPS-UD. <u>Minister Wood's office to provide select Committee material on upzoning around qualifying matters/heritage protection for suburbs to Cr Richard Hills</u> 	Officials
<p>5. Agree that the June Governance Group meeting should cover the following:</p> <ol style="list-style-type: none"> NPS- UD: Council to update on qualifying matters and approach along the ALR route. Implications of skills shortages, supply chain challenges on Auckland as it relates to its ability to respond to growth AHP and Drury – specifics to be confirmed at a later stage 	Mayor, Councillors (Mayoral office), Ministers

Annex 1: Annotated meeting agenda and talking points

Agenda item	Summary	Talking points
Item 1: Update on Large Scale Projects	<p>Background</p> <ul style="list-style-type: none"> s 9(2)(j) <p>Strategic Partnership and MoU with Auckland Council</p> <ul style="list-style-type: none"> You may want to take this opportunity to set expectations that the LSPs are an area of joint interest and responsibility, and that you will be seeking Cabinet approval for a Strategic Partnership and MoU with Auckland Council (and potentially iwi). Similar to the Auckland Light Rail Sponsors, the Strategic Partnership will make non-binding decisions on the LSPs. The Partnership is to be a forum where Crown and the Council can align funding (in the immediate term, ahead of 2024 Long-term Plan decisions, and to complete the project after the Housing Acceleration Fund runs out), make strategic alignments (such as with the Auckland Light Rail), and provide oversight of the overall progress 	<ul style="list-style-type: none"> Can I acknowledge the letter the Mayor Goff has sent to me back in December 2021 requesting the business cases? I would like to outline the process for Council's engagement now. As you know these funding process take time. In November, I announced \$282 million of Tranche One funding that will enable 1,260 homes in the LSP neighbourhoods to ensure we are still delivering while additional funding is considered. I will be soon going to Cabinet seeking funding from the Housing Acceleration Fund to continue the LSPs. This will be based on Kāinga Ora's business cases. Following Cabinet decisions, I am keen to talk to you about setting up a Strategic Partnership where we can jointly work together for the long-term success of LSPs. Auckland Council has allocated funding through the LTP, and I want to make sure we are aligning our respective investments and prioritising the LSPs now and into the future. I will also want to discuss with you how we can formalise our respective contributions to the LSPs, through an agreement. The LSPs are complex and long-term projects, I'll be seeking some funding from Cabinet to make sure that these projects can continue. However, I want to talk to you about how Auckland Council can support the projects in the short term, but also

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	<p>in the LSP areas. This includes the wider neighbourhoods beyond Kāinga Ora land, which will also be of interest to Auckland Council.</p> <ul style="list-style-type: none"> • We recently provided you with a briefing note <i>Large Scale Projects decisions to inform the Cabinet paper, including Approach to Auckland Council</i>, which will provide you with further information to support your discussion [BRF2122021223 refers]. <p>Next steps</p> <p>Below are proposed next steps of engagement with Auckland Council, following Cabinet decisions:</p> <ul style="list-style-type: none"> ○ Propose conversations between Ministers and Mayor outlining the Housing Acceleration Fund proposal, strategic partnership arrangements and proposed agreements ○ Discussion between Crown and the Council on respective contributions to the LSPs, including funding, resources and other in-kind contributions ○ Discussion on the Terms of Reference for a Strategic Partnership, including potential approach to iwi in Tamaki Makaurau to become a Strategic Partner (subject to Cabinet decisions) ○ Strategic Partnership established, and meets (aligning with Auckland Light Rail Sponsors meetings, as it will have the same Ministerial representation). <p>Business cases being shared with Auckland Council</p> <ul style="list-style-type: none"> • In December 2021, Mayor Goff has requested to see the Kāinga Ora Programme Business Cases for the Large-Scale Projects. • Auckland Council has not seen the business cases, which are subject to budget confidentiality. However to date, Kāinga Ora has been working with the Auckland Council Group (including Watercare and Auckland Transport) on the separate infrastructure projects that form part of the business case. § 9(2)(j) 	<p>how we can work together on the long-term funding of the LSP areas.</p> <ul style="list-style-type: none"> • Once Cabinet has made decisions, we will be able to share greater detail of the proposed investment. • Kāinga Ora has been working with the different asset owners (Auckland Transport, Watercare and Healthy Waters), on the infrastructure projects required to redevelop the areas. Together, they have a joint understanding of what needs to be done. • Following Cabinet decisions, Kāinga Ora will be able to share more information about any proposed funding. • I do want to assure you that the Auckland Council Group will have an opportunity to provide input into the next stages of business casing, where decisions will be made around what infrastructure projects are proposed to be funded. • I suggest we have an update on LSPs at the next meeting.

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	<ul style="list-style-type: none"> • s 9(2)(g)(i) 	
Item 2: Deep dive into the Drury	<p>Saskia (HUD), Ernst (Kāinga Ora) and Megan (Auckland Council) are going to provide everyone with an update on Drury. The Power Point presentation (see Annex 3) will be used as a basis for discussion at the meeting. Sections below provide further background information on Drury.</p> <p>Background</p> <p>The Auckland urban growth partnership has identified Drury as a priority area. It could provide up to 31,500 new homes in Drury and Paerata Rise, and 18,000 new local jobs across two large business parks and new town centres over the next 30 years. Development in Drury will also enable a Structure Planned Transit Oriented Development, mode shift, a reduction in carbon emissions and a significant shift to public and active transport modes. Developers in the area include MADE, Kiwi Property, Oyster Capital and Fulton Hogan.</p> <p>Uncertainty around Private Plan Changes</p> <p>There are currently five significant Private Plan Changes (PCs) for Drury either under consideration by an Independent Hearings Panel (IHP) or subject to appeal:</p> <ul style="list-style-type: none"> • PC 48, PC 49, PC 50 are all awaiting decisions from the IHP and have involved a large degree of co-ordination across the different developers. Fast tracked resource consents to enable the development to commence are also being sought for sub areas of the land being re-zoned through the plan changes. • The appeal period for the PC 51 decisions close on April 7 2022. 	<ul style="list-style-type: none"> • I would like to acknowledge that Auckland Partnership members have no control over the Private Plan Changes which is causing uncertainty for the development of Drury. However, we as the Government are committed to working with Auckland Partnership colleagues through the uncertainty caused by Private Plan Changes to achieve agreed outcomes and the vision for Drury. • I understand that significant ongoing investment will be required over the coming decades (mainly by Auckland Council) and that the pace and scale of development will be subject to funding and financing availability. • I am aware of all the work Auckland Council has done to understand the exact nature of infrastructure requirements and that this understanding of the issue will be invaluable as we work towards finding solutions to support development of Drury going forward. • s 9(2)(f)(iv)

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	<p>HUD officials are keen to explore whether unlocking use of SDPs under the Urban Development Act 2020 will provide some regulatory certainty so the use of Special Purpose Vehicles under the Infrastructure Funding and Financing Act 2020 can be revisited as an alternative funding mechanism.</p> <p>Proposed approach to support development going forward</p> <p>Given the current environment of uncertainty caused by Private Plan Changes and funding and financing issues, officials from Auckland Council, Ministry of Housing and Urban Development and Kāinga Ora jointly proposed to take a more focused and deliberate approach to support development of Drury. This would focus the resources of the three organisations concentrating on the live zones and projects that enable Transit Oriented Developments (TODs) to become well-functioning thriving communities. Other areas are only supported for development once infrastructure solutions can be provided.</p> <p>In practice it could mean:</p> <ul style="list-style-type: none"> • Carefully planned, coordinated and sustained approach across central and local government in the short, medium and long-term. Providing considerable time, effort, and ensuring additional funding is available. • Focus on live zones & projects that enable TODs to become well-functioning thriving communities. Other areas are only supported for development once infrastructure solutions are provided. • Investigating the Urban Development Act 2020 as a potential tool for co-ordinated redevelopment including coordination with the use of the Infrastructure Funding and Financing Act 2020. <p>Solving the challenge of dealing with any private plan changes that may be approved without the supporting infrastructure solutions, including the funding and financing, in place. It is also important to acknowledge that any future development need to be appropriately aligned with the delivery of core infrastructure.</p>	

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<p>Item 3: Update on Auckland Council's implementation of the National Policy Statement on Urban Development and the Medium Density Residential Standards</p>	<p>Background</p> <p>Auckland Council is required under the Resource Management Act (Enabling Housing Supply and Other Matters) Amendment Act 2021 to:</p> <ul style="list-style-type: none"> • Incorporate the Medium Density Residential Standards (MDRS) into all residential zones in Auckland (except Large-Lot Residential and Settlement Zones) • Implement these changes and the National Policy Statement on Urban Development (NPS-UD) intensification policies via an Intensification Streamlined Planning Process (ISPP). <p>HUD and the Ministry for the Environment (MfE) have been having regular meetings with the Council's officials to discuss any questions or concerns around implementing both the NPS-UD and the MDRS.</p> <p>HUD officials are also working with Auckland Council to investigate whether an issue on the timing for NPS-UD implementation exists in relation to the Auckland Light Rail project.</p> <p>Progress to-date</p> <p>Auckland Council is going to provide you with an update on their approach to different aspects of their intensification plan change including (Power Point presentation is attached as Annex 4):</p> <ul style="list-style-type: none"> • Walkable catchments • Other centres • Medium Density Residential Standards • Qualifying matters • Significant challenges • Next steps. 	<ul style="list-style-type: none"> • I would like to thank Auckland Council for today's presentation and acknowledge the work Auckland Council has done to refine its work programme in a short time frame to meet the implementation deadlines in the National Policy Statement on Urban Development and the Resource Management Act (Enabling Housing Supply and Other Matters) Amendment Act 2021. • I am pleased to see that the private plan change process appears to be on track. • I would like to emphasise the importance of taking a robust approach to qualifying matters assessment – comparing the qualifying matters to the loss in capacity and noting that even where there is a qualifying matter the need to only reduce building heights and densities to the extent necessary to address the matter. • I also want to emphasise that any Auckland Council consultation material should clearly state where there is discretion for change and where there is not, noting how directive the Amendment Act is.

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	<p>Overall, Auckland Council is making good progress on implementation and is on track to notify its plan change by 20 August 2022 (as required).</p> <p><u>Workload Pressures</u></p> <p>Auckland Council will likely emphasise the increased workload they have taken on in response to the amended NPS-UD timeframes and the Amendment Act due to the increased scope.</p> <p>MfE has funding available to support implementation of the NPS-UD and MDRS. HUD is currently in discussions with MfE to determine the most appropriate use of this funding. One option being actively considered a “Friend of the Submitter” for each Tier 1 area.</p> <p><u>Auckland Council’s approach to walkable catchments</u></p> <p>The Council has proposed different walkable catchments for six-storey intensification depending on the zoning of different areas:</p> <ul style="list-style-type: none"> • City centre – around 15 minutes / around 1200m from the edge of the City centre zone; • Metropolitan centres – around 10 minutes / around 800m from the edge of the Metropolitan centre zone; • Rapid Transit Network (RTN) stops – around 10 minutes / around 800m from existing and planned RTN stops. <p>This approach appears to be broadly compliant with the NPS-UD.</p> <p><u>Qualifying Matters</u></p> <p>Under the NPS-UD, councils can modify the specified building height and densities permitted in locations where ‘qualifying matters’ are identified, for example matters of national significance to protect, sites of cultural, historic, or ecological significance, or to avoid development in areas with natural hazards.</p>	

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	<p>The NPS-UD sets out the qualifying matters, the process for identifying where they apply and the ability to modify building heights and densities as a result. There is the risk that they could be overused. This is particularly a concern for the existing character areas – 70 per cent of the Council has identified as ‘high ‘quality’ and is likely looking to retain. These are often in high demand areas such as Mt Eden and Remuera.</p> <p>Successful implementation will depend on the extent to which qualifying matters are appropriate and well- justified, and the spirit of the NPS-UD is complied with. A qualifying matter can only apply if there is comprehensive and robust evidence to justify a site exemption. In addition, the site does not have to be carved out from intensification entirely, there may be a range of ways to address the qualifying matter without a blanket ban on intensification in the area (e.g. reduced maximum heights).</p> <p>In addition, the application of qualifying matters is likely to influence the level of intensification that can be achieved around some strategic locations where investment is being made in rapid transit networks (City Rail Link / Auckland Light Rail). In these cases, assessment of qualifying matters needs to compare the full development potential that could occur in these areas as a result of these projects against any restrictions.</p> <p>HUD understands that Auckland Council plans to retain all existing volcanic views shafts as qualifying matters. The Council considers that these are ‘a matter of national importance that decision-makers are required to recognise and provide for under section 6 of the Act’. The relevant matter under section (6) is ‘the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga’.</p> <p>s 9(2)(g)(i)</p> <p><u>Approach to Policy 3(d)</u></p>	

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	<p>Policy 3(d) of the NPS-UD was changed as a result of the development of the Amendment Act to require intensification around neighbourhood, local and town centre zones (previous it was in areas of high demand and accessibility). This was to provide more flexibility to councils outside of high accessibility areas.</p> <p>Officials are working with Auckland Council to test the extent to which Auckland Council's approach complies new policy 3(d).</p> <p>Next steps (including implementation timeframes)</p> <p><u>MDRS and NPS-UD Plan Change</u> The plan change to implement the NPS-UD and MDRS is required to be notified by 20 August 2022, immediately following there will be a formal consultation period on aspects of the plan the council has discretion to decide such as the extent of qualifying matters and special character.</p> <p><u>Ministerial direction for MDRS and NPS-UD notification timeframes</u> As provided for in the Amendment Act, the Minister for the Environment can establish a direction to councils setting out his expectations for the ISPP. This is likely to include a mandatory deadline for decisions. HUD and the Minister for the Environment are currently working with Auckland Council to identify appropriate timeframes for completion of the Intensification Streamlined Planning Process.</p>	

Released under the
Official Information Act 1982

Action points

What: Political Governance Group meeting

When: Tuesday ~~33-22~~ March 2022 – 8.30am – 9.30am~~x~~

Where: via Zoom

Who: Hon Megan Woods – Minister of Housing
 Officials: Andrew Crisp (HUD), Saskia Patton (HUD), Natalia Tropotova (HUD)
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