



**April
2022**



Information Sheet #7

Qualifying matters (Part 2)

During April and May 2022, Auckland Council is asking Aucklanders for their feedback on potential changes to the Auckland Unitary Plan (AUP) – our city’s planning rulebook – to allow for more housing at greater heights and density.

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

The government’s approach to more housing

The government’s National Policy Statement on Urban Development (NPS-UD) came into force in August 2020. The NPS-UD directs Auckland Council to enable more building height and housing density within and around Auckland’s city centre, metropolitan centres and rapid transit stops such as train and busway stations.

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

Through the use of MDRS the government requires the council to enable medium-density housing across most of Auckland’s suburbs. Three dwellings of up to three-storeys, including terrace housing and low-rise apartments, must be permitted on most residential properties. Four dwellings or more dwellings must be enabled through a non-notified resource consent.

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

What is a qualifying matter?

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

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

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

The government also allows councils to identify other qualifying matters that are relevant for their places and communities. Auckland Council has identified other additional qualifying matters that are important for Auckland. These are listed and described in Information Sheet #7 Qualifying matters (Part 2).

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

What are the council's additional qualifying matters?

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

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

- **Auckland War Memorial Museum Viewshaft Overlay**
Limits building height to protect the views and qualities associated with this historic heritage place.
- **City Centre character buildings and built form controls**
Rules to maintain and enhance the character values of pre-1940s buildings within the Queen Street Valley Precinct. This also applies to specific sites outside of the precinct that make a strong or significant contribution to the character of the surrounding area.
- **Local public views**
Individual viewing points, and their locally significant viewshafts from public places, contribute to the unique character of some of Auckland's neighbourhoods.

- **Ridgeline Protection Overlay**

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

- **Significant infrastructure constraints**

Infrastructure constraints exist in Auckland. This qualifying matter seeks to limit development where there is not enough infrastructure to support it. This approach would enable development where there is enough infrastructure already, or where it can be delivered in the medium term (i.e. 3-10 years).

- **Special Character Areas (Residential and Business)**

Special character areas limit height and density in Auckland's older established areas to protect places of special architectural or other built character value. Their importance, relevance and interest to people is often gained from viewing them across areas, rather than individually. More detail and information is provided in Information Sheet #7 Special character areas.

Qualifying matters that do not affect MDRS

When the initial list of qualifying matters was approved, Council included some matters that will not affect MDRS. These are:

- Airport Approach Surface Overlay (Kaipara Flats Airfield, North Shore Airport, Parakai Airfield and Auckland Gliding Club) as they are all located outside the urban environment
- Natural Hazards (less than significant), as these were found to not affect height and/or development
- Notable Trees (as they are managed by rules and do not affect height and/or density)

Further information

- To read more about the consultation on the council's preliminary response to NPS-UD and the changes to the Resource Management Act, and to give feedback, visit akhaveyoursay.nz/housing
- To learn more about how Auckland Council is planning for growth and development, visit ourauckland.nz/growingtogether
- For detailed information about the National Policy Statement on Urban Development 2020 (NPS-UD) visit the [Ministry for the Environment website](https://www.mta.govt.nz/ministry-for-the-environment/).
- For more information on the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 and the Medium Density Residential Standards visit the [Ministry of Housing and Urban Development website](https://www.mta.govt.nz/ministry-of-housing-and-urban-development/).

- Visit the council's NPS-UD and MDRS preliminary response map viewer at akhaveyoursay.nz/housing to view the proposed planning maps.

Please note:

This information sheet is a summary document to assist with consultation during April and May 2022 on the council's preliminary response to the National Policy Statement on Urban Development 2020 and the Resource Management Act as amended.

The proposed plan change to the Auckland Unitary Plan to be publicly notified by Auckland Council on or before 20 August 2022 may contain information that is different to or inconsistent with council's preliminary response. This may be for a number of reasons, including to address feedback received through consultation.

All information provided in this information sheet should be considered as being illustrative and indicative only.

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