

Supplementary Analysis Report: Increasing development capacity in Auckland

Coversheet

Purpose of Document	
Decision sought/taken:	<i>Analysis produced to support the introduction of an amendment paper to the Resource Management (Consenting and Other System Changes) Amendment Bill.</i>
Advising agencies:	<i>Ministry for the Environment, Ministry for Housing and Urban Development</i>
Proposing Ministers:	<i>Minister Responsible for RMA Reform</i>
Date finalised:	<i>18 July 2025</i>
Problem Definition	
<p>There is an opportunity to strengthen Auckland Council's proposed intensification plan change, the Auckland Housing Planning Instrument (AHPI), to better enable development capacity and intensification, particularly around specified stations that will benefit from City Rail Link (CRL) investment.</p> <p>There is also an opportunity to strengthen the AHPI by providing flexibility by enabling variations to the plan change, should Auckland Council seek or be directed to amend the plan change after it is notified.</p>	
Executive Summary	
Background <p>Plan Change 78 (PC78) is Auckland Council's intensification planning instrument, a plan change designed to increase development capacity in Auckland by giving effect to the intensification provisions of the National Policy Statement for Urban Development 2020 (NPS-UD) and incorporating the medium density residential standards (MDRS) into the Auckland Unitary Plan. PC78 was required under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Auckland Council has faced challenges in progressing PC78.</p> <p>The Resource Management (Consenting and Other Systems Changes) Amendment Bill (the Bill) will enable Auckland Council to withdraw PC78 but will require it to notify an alternative plan change (Auckland Housing Planning Instrument), with different development capacity requirements, including a requirement to increase densities around some stations that will benefit from investment in the City Rail Link (CRL).</p> <p>The new plan change will be required to use the Streamlined Planning Process (SPP), which is a quicker plan change process that provides a greater level of ministerial oversight.</p> Policy problem and proposals	

The CRL is a multi-billion-dollar investment for the Government and Auckland Council (approx. \$5.5 billion to date)¹. The Government aims to maximise its return on investment by enabling more people to live and work near stations benefitting from CRL investment, thereby unlocking the economic growth and productivity gains expected when the CRL opens in 2026. Key benefits of this approach include improved accessibility, enhanced productivity and reduced climate emissions.

The Minister Responsible for RMA Reform was authorised by Cabinet to make further policy decisions to strengthen the Auckland Housing Planning Instrument (AHPI) and related processes to better enable development capacity and intensification [ECO-25-MIN-0079]. The scope of the options considered reflects the Minister's direction.

The Minister is progressing two policy proposals, which will be introduced as amendments to the Bill. These proposals are:

1. further increasing the development capacity enabled in walkable catchments around specified stations, by requiring Auckland Council to enable building heights of at least 15 storeys around Maungawhau, Kingsland and Morningside stations, and at least 10 storeys around Mt Albert and Baldwin Ave stations;
2. enabling Auckland Council to progress variations to the AHPI, to provide greater flexibility should the Council seek or be directed to amend the plan change.

Overall, these proposals will strengthen the AHPI by better enabling development capacity and intensification around specified stations and providing flexibility for Auckland Council to amend the AHPI if required. They build on earlier proposals in the Bill requiring the Council to enable building heights commensurate with the greater of accessibility and demand around Maungawhau, Kingsland and Morningside stations, and at least six storeys. This will have the added benefit of aligning housing and transport planning, by enabling intensification around key public transport infrastructure and is likely to increase development feasibility in these areas.

Stakeholder views

The Minister has publicly stated that the proposed changes to increase development capacity around specified stations are supported by the mayor and most councillors. However, as direct engagement with Auckland Council has been limited, its formal position on these proposals has not been confirmed.

While Auckland Council officials have previously raised concerns about specifying minimum enabled building heights around stations, due to the perceived lack of flexibility this creates, these risks are mitigated by the fact that the Council will still be able to modify building height and density requirements to the extent necessary to accommodate qualifying matters.

Treaty of Waitangi considerations

Due to time constraints, we have not been able to engage with Māori—including iwi authorities in Auckland—on the proposals in this Supplementary Analysis Report (SAR). As a result, we do not know how iwi authorities view these proposals. This is a key limitation of this SAR.

However, as the proposals in this SAR do not alter the process for the AHPI but rather legislate the content of specific parts of the plan change, they should have limited to no impact on Māori participation in the AHPI process.

Intensification around stations benefiting from CRL investment

Auckland Council will be responsible for determining the extent of walkable catchments around stations through the preparation of the AHPI, during which it will be required to consult with iwi authorities. The Council will also retain the ability to modify building height requirements to the extent necessary to accommodate qualifying matters, including matters

¹ [Benefits and costings — City Rail Link](#)

provided for under section 6 of the RMA (e.g. viewshafts to maunga) and matters necessary to implement, or ensure consistency with, iwi participation legislation.

Enabling Auckland Council to progress variations to the AHPI

While Auckland Council will be able to progress variations to the AHPI, these variations will be subject to many of the same requirements as any other plan change variation under the RMA, including iwi engagement requirements. These requirements help ensure that commitments in Treaty settlements and other arrangements are upheld.

Limitations and Constraints on Analysis

The quality of analysis in this SAR has been subject to a number of limitations and constraints, which should be taken into account when considering the proposals.

Minister's policy direction

The scope of the options considered in this SAR were constrained to the Minister Responsible for RMA Reform and Minister of Housing's direction. The Minister, in both his capacity as Minister for RMA Reform and Minister of Housing, directed officials to explore legislative options for inclusion in the Bill to require Auckland Council to enable greater density around stations that will benefit from CRL investment, and to widen the number of stations to which the density requirements apply.

Limits on data, evidence and engagement

Given timeframe constraints, officials were unable to conduct a comprehensive cost-benefit analysis of the proposed options, including monetising their costs and benefits. In some cases, the evidence used to inform the options analysis has been anecdotal (eg, developers explaining feasibility of different scales of development).

Given timeframe constraints, officials were unable to engage fulsomely with Auckland Council on the proposed changes. Officials are aware, from brief discussions with Auckland Council, that the Council has concerns about the lack of flexibility from specifying higher minimum heights around specific stations. s 9(2)(g)(i)

Responsible Manager(s) (completed by relevant manager)

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s 9(2)(a)

18 July 2025

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Reviewing Agency:

Ministry for the Environment, Ministry for Housing and Urban Development

Panel Assessment & Comment:

A Ministry for the Environment and Ministry for Housing and Urban Development Regulatory Impact Analysis (RIA) panel has reviewed the "Increasing development capacity in Auckland" Supplementary Analysis Report (SAR) and considers that it partially meets the RIA requirements for a SAR.

Section 1: Diagnosing the policy problem

What is the context behind the policy problem and how is the status quo expected to develop?

Resource Management (Consenting and Other System Changes) Amendment Bill

1. Cabinet has agreed to a three-phase approach to reforming the Resource Management Act 1991 (RMA). Phase 2 of RMA reform comprises of legislative amendments to the RMA, along with a suite of changes to National Direction.
2. The Resource Management (Consenting and Other System Changes) Amendment Bill (the Bill) is the last legislative component of Phase 2. The Bill delivers targeted amendments to the RMA which have immediate impact and provide some certainty and consistency ahead of the repeal and replacement of the RMA.

Development capacity in Auckland

3. The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (RMA-EHS) required specified territorial authorities (councils), including Auckland Council, to use an intensification planning instrument (IPI) to incorporate the medium density residential standards (MDRS)² into their district plans and give effect to the intensification provisions of the National Policy Statement for Urban Development 2020 (NPS-UD).³
4. Plan Change 78 (PC78) is Auckland Council's IPI. Auckland Council has so far made operative only those parts of PC78 that relate to the city centre. Auckland Council has faced challenges in progressing the remainder of PC78 due to natural hazard issues meaning that some sites require downzoning, which is not provided for through the RMA. Most councils have completed their IPIs, incorporating the MDRS and giving effect to the NPS-UD.
5. The Government intends to make the MDRS optional. For most councils, it will become optional as part of Phase 3 RM reform. For Auckland Council, MDRS optionality will be enabled by the Bill.
6. The Bill as reported back to the House from select committee⁴ enables Auckland Council to withdraw the remainder of PC78, with a requirement to notify a new plan change (an "Auckland Housing Planning Instrument" (AHPI)) using the streamlined planning process (SPP)⁵ by 10 October 2025 (before local elections). The new plan change must:

- a. provide at least as much housing capacity as PC78 would have enabled;

² The MDRS aim to increase housing development opportunities by requiring specified territorial authorities to permit minimum densities, i.e. 3x three-storey townhouses on one site.

³ The NPS-UD is a national policy statement, made under the RMA, that aims to support well-functioning urban environments and includes intensification provisions (Policy 3).

⁴ The housing provisions of the Bill were substantially amended at select committee. Previous regulatory impact statements developed to support the housing provisions of the Bill are available:

- <https://www.hud.govt.nz/assets/Uploads/Documents/Proactive-Releases/RIS-Going-for-Housing-Growth-Freeing-up-land-for-development-and-enabling-well-functioning-urban-environments.pdf>
- <https://www.regulation.govt.nz/assets/RIS-Documents/RIS-Implementing-changes-to-the-NPS-UD-2020-and-making-the-MDRS-optional-for-councils.pdf>
- <https://environment.govt.nz/assets/SAR-RM-Amendment-Bill-2-analysis-to-support-introduction.pdf>

⁵ The SPP is a quicker process than the standard schedule 1 process for progressing a plan change and has greater ministerial involvement.

- b. enable building heights and densities of urban form around Maungawhau, Kingsland and Morningside stations commensurate with the greater of demand and accessibility; and
 - c. give effect to the intensification provisions of the NPS-UD.
- 7. This approach enables Auckland Council to 'start over' with its plan change in relation to implementing the NPS-UD outside of the city centre, so that it can take into account new natural hazard information. It will also enable the Council to implement the requirements of the NPS-UD within the Auckland Light Rail Corridor (including around Maungawhau, Kingsland and Morningside stations), which was excluded from the notified version of PC78, at the same time.
- 8. The new plan change will not have to incorporate the MDRS into Auckland's Unitary Plan. Instead, as the 'quid pro quo' for MDRS optionality, the Bill requires Auckland Council to provide at least as much housing capacity as PC78 would have enabled.
- 9. The Bill as reported back from select committee also seeks to enable more development capacity around key rapid transit stations, that will benefit from the investment in the City Rail Link, by requiring Auckland Council to enable building heights and densities around Maungawhau, Kingsland and Morningside stations commensurate with the greater of demand and accessibility, and in each case no less than six storeys (a minimum of six storeys is required by the NPS-UD around rapid transit stations).

Cabinet decision and ministerial delegations for detailed decision-making

- 10. On 9 June 2025 Cabinet agreed to strengthen the Auckland Housing Planning Instrument and related processes to better enable development capacity and intensification. Cabinet authorised the Minister Responsible for RMA Reform to make further policy decisions (including necessary consequential amendments to the RMA) and issue drafting instructions to PCO to implement that recommendation [ECO-25-MIN-0079].
- 11. The options discussed in this SAR are those which were considered by the Minister when making his delegated decisions.

What is the policy problem or opportunity?

Increasing density around stations benefiting from CRL investment

- 12. The City Rail Link (CRL) is the largest transport infrastructure project in New Zealand's history. Together, the Government and Auckland Council have invested \$5.5 billion in the CRL to date. Given the significance of this investment (approx. \$2.75 billion for central government), the Government is seeking to maximise its benefits.
- 13. A key part of maximising these benefits is enabling housing and businesses nearby these train stations. This requires ensuring that planning rules enable sufficient building heights and densities to meet demand.
- 14. Under Policy 3(c) of the NPS-UD, Auckland Council is required to enable building heights of at least six storeys within at least a walkable catchment of rapid transit stops.
- 15. Stations such as Maungawhau, Kingsland and Morningside, by virtue of both their proximity to the city centre and their location at the centre of Auckland's rail network, offer a high level of accessibility, meaning that people living around these stations can easily access jobs, community services and natural and open spaces.
- 16. Enabling building heights of up to just six storeys would likely undershoot the demand for housing in these areas and would not maximise the benefits of CRL investment for these stations. This would represent a missed opportunity to enable a level of development around these stations commensurate with degree of accessibility they

offer and the demand for housing and business land in these locations. So too for Mt Albert and Baldwin Ave stations.

17. Status quo: the Bill as reported back from select committee additionally requires Auckland Council to enable building heights and densities of urban form around Maungawhau, Kingsland and Morningside stations commensurate with the greater of demand and accessibility, and in each case no less than six storeys. These requirements go further than Policy 3 of the NPS-UD but may not maximise the benefits of CRL investment.
18. Officials have heard from developers that development feasibility at six storeys is often challenging, with development either below four storeys or at 8-10+ storeys more likely to be feasible. A key reason for this is the costs associated with meeting fire and accessibility requirements in the Building Code.
19. While Auckland Council may choose to enable higher building heights in these locations, and Mayor Wayne Brown has indicated his support more development along rapid transit corridors,⁶ given that existing residents can sometimes be reluctant to support increased housing densities near their homes, central government direction is necessary to ensure that councils enable adequate density in appropriate locations. This was the case with PC78, with some local groups opposing housing intensification and six storey height limits in and around the areas subject to these proposals.
20. The purpose of the AHPI is to enable greater intensification across Auckland and increase housing capacity. This offers an opportunity to simultaneously maximise the benefits of CRL investment by increasing building heights enabled around specified stations benefitting from CRL investment.
21. The Minister, both in his capacity as Minister Responsible for RMA Reform and as Minister of Housing, directed officials to explore legislative options for inclusion in the Bill to require Auckland Council to enable greater density around stations that will benefit from CRL investment, and to widen the number of stations to which the density requirements apply.

Enabling variations to the Auckland Housing Planning Instrument

22. The Bill does not currently enable Auckland Council to vary the AHPI once it has been notified. 'Variations' are the statutory process to amend the plan change once it has been notified, and are provided for as part of a Schedule 1 (ie, regular) plan change process. Not being able to vary the AHPI may hinder the ability of the Council to respond to unforeseen circumstances, particularly as the Bill also prohibits the Council from withdrawing the AHPI.
23. The risks of a lack of flexibility were demonstrated with PC78, as a limited scope meant Auckland Council was unable to vary its plan change to downzone sites in response to new natural hazard information.
24. Enabling Auckland Council to progress variations to the AHPI would provide greater flexibility should the Council seek or be directed to vary the plan change. This would allow the Council to respond better to unforeseen circumstances, should they arise. It would also allow the Minister to exercise powers under section 25A of the RMA to direct the Council to prepare a variation to the AHPI, should there be reason to do so.

⁶ <https://www.nzherald.co.nz/nz/politics/city-rail-link-government-forces-auckland-to-allow-more-houses-around-crl-stations-u-turns-on-coalition-agreement-density-deal/SOQOUCNGNCVJHMKNKJNMR2INI/>.

What objectives are sought in relation to the policy problem?

25. The objective sought is to strengthen the Auckland Housing Planning Instrument and related processes to better enable development capacity and intensification and provide greater confidence that the outcomes sought will be achieved. This includes:
- a. maximising the benefits of central government investment in the CRL, by enabling greater building heights and densities around key stations; and
 - b. providing flexibility for the SPP process for the AHPI, by enabling Auckland Council to progress variations to the plan change.

Section 2: Deciding upon an option to address the policy problem

What scope will options be considered within?

26. As noted in the context section, the scope of policy options considered in this SAR was constrained by direction set by the Minister Responsible for RMA Reform and Minister of Housing, while the overarching scope provided by the Cabinet recommendation was options to strengthen the Auckland Housing Planning Instrument and related processes to better enable development capacity and intensification.
27. Regarding increasing density around key stations, the Minister directed officials to explore legislative options for inclusion in the Bill to require Auckland Council to enable greater density around stations that will benefit from CRL investment, and to widen the number of stations to which the density requirements apply. This limited officials' ability to consider non-legislative options, such as working alongside Auckland Council to determine appropriate heights and densities for these areas.
28. The options considered were premised on Auckland Council being required, and being able to notify, a plan change (Auckland Housing Planning Instrument) before the local government election (October 2025).

The Government intends to introduce an amendment paper requiring Auckland Council to seek direction on its replacement plan change by 10 October 2025, instead of notifying it as discussed in this SAR.

What options were considered by Cabinet?

Increasing density around stations benefiting from CRL investment

29. The following options were considered for increasing density around stations benefitting from CRL investment:
- a. **Status quo (the Bill):** require Auckland Council to enable building heights within walkable catchments around Maungawhau, Kingsland and Morningside stations commensurate with the greater of demand and accessibility, and in each case no less than six storeys.
 - b. **Option 1 (Government's preferred option):** amending the Bill to require Auckland Council to enable more development capacity within walkable catchments around specified stations, by:
 - i. extending the requirement for the Council to enable heights and densities commensurate with the greater of demand and accessibility to walkable catchments around Mt Albert and Baldwin Ave stations; and
 - ii. requiring the Council to enable building heights of at least 15 storeys around Maungawhau, Kingsland and Morningside, and of at least 10 storeys around Mt Albert and Baldwin Ave stations.

Enabling variations to the Auckland Housing Planning Instrument

30. The following options were considered for enabling variation to the AHPI:

- a. **Status quo (the Bill):** the Bill does not enable Auckland Council to progress variations to the Auckland Housing Planning Instrument.
- b. **Option 1 (Government's preferred option):** amending the Bill to enable Auckland Council to progress variations to the Auckland Housing Planning Instrument.

What was the Government's preferred option, and what impacts will it have?

31. The Government's preferred options will strengthen the Auckland Housing Planning Instrument and related processes to better enable development capacity and intensification.

Increasing density around stations benefiting from CRL investment

32. The Government's preferred option will better enable development capacity and intensification around specified stations benefitting from CRL investment by ensuring that a minimum of 10-15 storeys is enabled within walking catchments of these stations.

33. These stations are the stations nearest to the CBD on the line that benefits the most from CRL-related journey time improvements (Western Line). Western Line stations will experience journey time savings of 315 hours annually once the CRL opens, compared to 165 annual hours of journey time savings for other stations.

34. s 9(2)(g)(i)

35. There are generally risks associated with legislating for specific planning outcome, such as minimum enabled building heights, as legislative requirements are relatively inflexible and may make adapting to unforeseen circumstances more difficult. This proposal, however, allows Auckland Council to enable higher building heights (10-15 storeys is the minimum, not the limit), while also providing a pathway (through the qualifying matters framework) for the Council to modify these requirements, and enable lower building heights where appropriate. Developers can also always build shorter buildings than what is enabled; the proposals are simply for Auckland Council to *enable* up to 10/15 storey buildings to be built in these locations.

36. There is also the risk that legislated minimums may be perceived or applied as maximums, in terms of both building height and location, and reduce ambition for greater densities. This has occurred previously in Auckland under PC78, with Auckland Council enabling building heights of six storeys within walkable catchments around train stations, aligning only with the minimum requirements set out in the NPS-UD.

37. There is also the risk that, given the extent of the walkable catchments around stations are not prescribed in the Bill, and Auckland Council will retain discretion to determine these, the Council will set smaller walkable catchments than central government considers appropriate. This could limit the scale of the intensification enabled around these stations. We consider this risk is mitigated by the fact that the appropriateness of the walkable catchments identified by the Council will be debated and tested through the hearings process, and that there is Ministry for the Environment guidance on this.

38. While there is the risk that legislative direction undermines the principle of local decision making, given the alignment between the Government and Auckland Council on enabling intensification around stations benefitting from CRL investment, and the ability to accommodate qualifying matters relevant to the local sites, we consider the risk is low in this case.

39. There is also the risk that further legislative requirements, which require Auckland Council to update its work on the replacement plan change for PC78 (ie, the AHPI) could make it difficult for the Council to notify the AHPI within the prescribed timeframe.
40. Other options, including working with Auckland Council to enable appropriate building heights and densities around these stations without requiring this in legislation may have been able to achieve the same objectives as sought through this policy. However, these options were not within the scope of the Minister's direction.

Enabling variations to the Auckland Housing Planning Instrument

41. The Government's preferred option will provide greater flexibility, should the Council seek or be directed to vary the AHPI.

What are the marginal costs and benefits of the option?

Increasing density around stations benefiting from CRL investment

Affected groups	Comment	Impact	Evidence Certainty
Additional costs of the preferred option compared to taking no action			
Central government	None identified.	Low	High
Auckland Council	<p>One-off piece of work for Council to update density enabled around specified stations through the AHPI.</p> <p>Minimum heights are less flexible, which risks undermines local decision-making. However, the council can still use qualifying matters to lower densities where higher densities are not appropriate.</p> <p>May not align with Council infrastructure planning and impact infrastructure capacity in these areas. May lead to infrastructure shortages if existing infrastructure cannot support new development.</p> <p>May take additional time and resources for council to comply with additional requirements.</p>	<p>Low – s 9(2)(g)(i)</p> <p>The Bill already includes some density requirements for some stations benefiting from CRL investment, and so there is a low additional marginal cost.</p>	<p>Low – officials have not had the opportunity to test the specific proposals with Auckland Council, however before they were announced. However, officials were able to briefly discuss an option to include a higher 'bottom line' for some stations, and Auckland Council staff raised concerns about the lack of flexibility.</p>
Developers	None identified.	Low	Low – officials have not had the opportunity to test the additional requirements with developers,

Affected groups	Comment	Impact	Evidence Certainty
			however developer views on increasing density in other circumstances are well documented.
Others (eg, public)	Communities will likely have mixed views on increasing density from six to 10/15 storeys in particular catchments. Some people may consider increased density to negatively impact amenity values; however, others may consider it improves amenity values.	Low – high, depending on location.	Low – officials have not had the opportunity to test the specific additional requirements with the public, however public viewpoints on increasing density in other circumstances are well documented.
Total monetised costs		n/a	n/a
Non-monetised costs		Low	Low
Additional benefits of the preferred option compared to taking no action			
Central government	Enables greater revenue (via greater economic productivity) through more people being able to live in locations where jobs and education are more accessible.	Low – the benefits are marginal due to the requirement only applying to specific areas.	High – there is good economic evidence that greater density produces greater productivity. ⁷
Auckland Council	Enables more efficient use of existing infrastructure by enabling housing	Medium – the benefits are marginal due to the requirement only applying to specific areas.	High – there is good economic evidence that greater density

⁷ [HUD2024-003621 Research on housing as an enabler of economic growth and productivity](#)

Affected groups	Comment	Impact	Evidence Certainty
	near good existing infrastructure, as opposed to greenfield expansion.		requires lower infrastructure servicing costs. ⁸
Developers	More development opportunities for housing and business. Higher enabled building heights likely to make development more feasible or provide more flexibility.	Medium – the benefits are marginal due to the requirement only applying to specific areas.	Medium – developers have indicated that higher building heights (eg, 8-10 storeys) are more feasible for development (eg, than 4-6 storeys).
Others (eg, public)	Ongoing benefit by enabling more people to live close to transport hubs, making work, businesses and services more accessible. There may be gains in productivity, profitability, wages, and tax revenue which accrue to businesses, households, and government. Enabling more intensification in some areas may result in a greater share of development capacity being provided in brownfields areas that are close to centres and good transport options, reducing car dependency. This may reduce emissions and may lead to reduced overall congestion.	Medium – the benefits are marginal due to the requirement only applying to specific areas.	High – there is good evidence of the benefits for people of living near work and other services.
Total monetised benefits		n/a	n/a

⁸ [Auckland's infrastructure: The cost to serve a city that's growing upwards | Research & insights | Te Waihangā](#)

Affected groups	Comment	Impact	Evidence Certainty
Non-monetised benefits		Medium	Medium

Enabling variations to the Auckland Housing Planning Instrument

Affected groups	Comment	Impact	Evidence Certainty
Additional costs of the preferred option compared to taking no action			
Central government	None identified.	n/a	Medium
Auckland Council	None identified.	n/a	Medium
Others (eg, developers, the public)	None identified.	n/a	Medium
Total monetised costs		n/a	n/a
Non-monetised costs		None identified	Medium
Additional benefits of the preferred option compared to taking no action			
Central government	Provides an opportunity for the Minister to use intervention powers and direct a variation to the AHPI to address an issue, if required.	Low – impact depends on whether option is exercised.	High
Auckland Council	Provides an opportunity for the Council to decide to vary the plan	Low – impact depends on whether option is exercised.	High

Affected groups	Comment	Impact	Evidence Certainty
	change to address an issue, if required.		
Others (eg, developers, the public)	Provides an opportunity for issues that affect the public to be addressed through a variation to the plan change, in required.	Low – impact depends on whether option is exercised.	High
Total monetised benefits		n/a	n/a
Non-monetised benefits		Low	High

Section 3: Delivering an option

How will the new arrangements be implemented?

42. The proposals identified in this SAR will be given effect to through amendments to the Bill (via an amendment paper), which will in turn amend the RMA. Auckland Council will then implement these changes by progressing the AHPI.
43. The Bill, including the amendment paper, will amend the RMA to:
- a. require Auckland Council (if it withdraws PC78) to enable heights and densities around key stations, by:
 - i. enabling heights and densities commensurate with the greater of demand and accessibility around Mt Albert and Baldwin Avenue stations (in addition to Maungawhau, Kingsland and Morningside stations, as already provided for through the Bill); and
 - ii. increasing the additional, bottom-line requirement that applies to these stations from enabling no less than six storeys to enabling no less than 15 storeys for Maungawhau, Kingsland and Morningside, and no less than 10 storeys for Mt Albert and Baldwin Avenue stations;
 - b. enable variations to the AHPI, to provide for flexibility.
44. Once the Bill has received Royal assent, Auckland Council will be able to withdraw PC78. Once the Council withdraws PC78, it will be required to notify the AHPI by 10 October 2025, which it will progress through the Streamlined Planning Process (SPP). Officials will work with the Council to meet this timeframe.
45. Auckland Council is already working to prepare its replacement plan change for PC78 in anticipation of the Bill passing.
46. When providing direction to Auckland Council on the AHPI, the Minister Responsible for RMA Reform will be able to use his statement of expectations to emphasise the requirements in the Bill. Under the SPP, both the Council and the SPP panel will need to have regard to this statement of expectations. Officials will support the Minister to provide direction to the Council.
47. Finally, the notified AHPI provisions will be tested through the hearings process for how well they meet the requirements of the Bill, and the SPP panel will need to consider both the requirements of the Bill and the Minister's statement of expectations when providing its recommendations to Auckland Council.
48. In the event of non-compliance (either with notification or the final decisions), the Minister for the Environment (or their delegate) will have the option of exercising intervention powers under sections 24, 25 and 25A of the RMA.

How will the new arrangements be monitored, evaluated, and reviewed?

49. Officials from both the Ministry for the Environment and the Ministry of Housing and Urban Development will work closely with Auckland Council to ensure that appropriate building heights and densities of urban form are enabled around specified stations through the AHPI, and that the AHPI is sufficiently enabling of development capacity beyond these areas.
50. There will also be several assessments by departmental officials at key points of the process, to ensure that the AHPI delivers on the requirements set out in the Bill. These will include:
- a. information requirements when Auckland Council notifies the Minister of its intent to progress the AHPI through the SPP process;

- b. an assessment of the AHPI when it is notified, to determine whether it is sufficiently enabling of development capacity (including around specified stations);
- c. an assessment of the Independent Hearings Panel's (IHP) recommendations on the AHPI; and
- d. a further assessment of Auckland Council's subsequent decisions on the IHP's recommendations.

Appendix 1: Treaty impact analysis

51. The Ministry has obligations to engage with some post-settlement governance entities on matters of mutual interest under specific treaty settlement arrangements, and more broadly to engage with iwi Māori in good faith under the principles of Te Tiriti o Waitangi.
52. The *Supplementary Analysis Report: Resource Management Act Amendment Bill 2 – analysis to support introduction* notes that “through limited engagement with PSGEs there has been support for initiatives that will enable more affordable housing”.⁹
53. Due to time constraints and ministerial direction, we have not been able to engage with Māori—including iwi authorities in Auckland—on the proposals in this SAR. As a result, we do not know how iwi authorities view these proposals. This is a key limitation of this SAR.
54. However, as the proposals in this SAR do not alter the *process* for the AHPI (other than enabling variations, which largely follow the same process), but rather legislate the content of specific parts of the plan change, they should have limited to no impact on Māori participation in the AHPI process.
55. Iwi authority engagement in plan making is well established as a key principle in the RMA and is fundamental to recognising Māori rights and interests in the environment. Iwi authorities and settlement entities have rights and interests in their areas of interest that must be recognised in any plan development process for Part 2 of the Act and Treaty settlement obligations to be met.

Increasing density around stations benefiting from CRL investment

56. While Auckland Council will be required to enable, at a minimum, building heights of 10-15 storeys around specified stations that benefit from CRL investment, this requirement is no more prescriptive in nature than the intensification provisions of the NPS-UD, which already requires the Council to enable building heights of at least six storeys around these stations.
57. Auckland Council will still be able to modify these building height requirements to the extent necessary to accommodate qualifying matters, including matters provided for under section 6 of the RMA (eg, viewshafts to maunga) and matters necessary to implement, or ensure consistency with, iwi participation legislation.
58. While there is some Treaty settlement land around the specified stations, the spatial extent of the walking catchments around the stations have yet to be determined and will not be legislated for. Instead, Auckland Council will be responsible for determining the extent of these catchments as part of the development of the AHPI, during which it will be required to consult with iwi authorities and expected to consult with statutory authorities, such as the Tūpuna Maunga Authority.
59. Additionally, officials understand that Houkura (formerly the Independent Māori Statutory Board) will sit as part of Auckland Council's committee of the whole when notifying the AHPI; noting that Houkura will not have voting rights.

Enabling variations to the Auckland Housing Planning Instrument

60. While Auckland Council will be able to progress variations to the AHPI, these variations will be subject to most of the same requirements as any other plan change variation under the RMA, including iwi engagement requirements. These requirements help ensure that commitments in Treaty settlements and other arrangements are upheld.

⁹ [Supplementary Analysis Report: Resource Management Act Amendment Bill 2 – analysis to support introduction](#), Appendix 2, para 19.

61. For example, and depending on the scope of a variation, there may be obligations on Auckland Council to undertake early engagement and incorporate views from the Tūpuna Maunga Authority into plan content and align the plan with integrated management plans for the maunga. Any direction on a variation will need to be aware of and provide for this to occur.