



Additional Submission of Civic Trust Auckland

**This is a submission on Plan Change 120, including proposed amendments:
Housing Intensification and Resilience**

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This is an additional submission because Civic Trust Auckland (CTA) wants different or additional decisions made on PC 120 to the decisions we requested in our first submission. We are not repeating our first submission.

Our first submission number is **7325**.

We understand:

- the council may not record any decisions we request in this submission repeated from our first submission
- that different or additional decisions we now request may conflict with the decisions we requested in our first submission, and this does not invalidate any submission.

1. Introduction

1. CTA's additional submission is confined to different and additional decisions arising from changes in the statutory and planning circumstances since PC 120 was notified.

2. Since PC 120 was notified, the Resource Management (Auckland Housing) Amendment Act 2026 has reduced Auckland's minimum housing-capacity requirement by 32.5%, from just over 2 million homes to approximately 1.4 million homes. The Ministry for the Environment stated that the purpose of the change is to give Auckland Council greater discretion over where housing density is enabled and allow growth to be better aligned with infrastructure, public transport and local constraints.

3. Auckland Council has consequently reconsidered significant parts of PC 120. Intensification proposed around local centres and frequent transport routes outside 10 kilometres of the city centre has been removed, and building heights in a number of walkable catchments have been reduced. The majority of Auckland's wider urban area is now proposed to revert to the operative Auckland Unitary Plan provisions.

4. CTA supports Council reconsidering PC 120 in response to the reduced statutory housing-capacity requirement. However, the changes identified by Council do not include what we consider to be a necessary reconsideration of its decisions regarding the extent of the Special Character Area Overlay.

2. The basis on which Special Character Areas were reduced has materially changed

5. The methodology used to determine the extent of the SCA Overlay was developed in a different statutory environment. When PC 120 was prepared, Council was required to provide at least the housing capacity that would have been enabled by PC78 — just over 2 million dwellings. The effect of retaining Special Character Areas on plan-enabled housing capacity appeared therefore to be a pressing imperative underlying Council's SCA methodology.

6. To provide Council with greater discretion over where density will be enabled, the minimum housing-capacity requirement has been reduced to approximately 1.4 million homes. Although we do not know the precise number of new dwellings now modelled, Council has responded to the reduced capacity targets by reducing proposed intensification across large parts of Auckland down to between 1.5 and 1.7 million, and consequently, the perceived imperative of reducing SCAs no longer exists to the same extent. This imperative has been further reduced by the recent announcement that loosened regulations in Auckland City Centre will provide something in the order of a further 80,000 dwellings towards government's housing capacity targets.

3. Changed circumstances require a fresh evaluation

7. CTA is not suggesting that the statutory requirements applying to walkable catchments can be disregarded, but we do note and concur with the representations of many community groups that consider topography to be overly challenging and proposed distances to be excessive.

8. Council has exercised its discretion in PC 120 by concentrating intensification around transport hubs, but leaving in place the reductions in SCA overlays as originally provided for in PC 78. Given CTA's understanding that Council's proposed removal of 5,000 or so properties from existing SCAs would enable intensification of some 100,000 dwellings, and in light of the government's reduction of its capacity requirements from 2 million to 1.4 million, it would appear there is plenty of scope to retain, in totality, the extent of the SCAs currently in the AUP. That rationale still applies, even if Council proceeds with its apparent intensification target of 1.5-1.7 million.

9. CTA submits that there is no evident planning reason why Special Character Areas should be excluded from reconsideration. Council's evidence is based on a methodology that appears flawed and was created with no external consultation. The NPSUD empowered Council to nominate Special Character as a qualifying matter, which it did, and though we appreciate the pressures on Council to reduce areas of Special Character, there was no legislative requirement to do so. Given the integrity of the SCAs that are currently recognised, and in light of the vast swathes of Special Character properties which remain formally unrecognised from the AUP hearings, CTA is adamant there should be no further degradation of these existing SCAs in the AUP.

4. Special Character is a finite and non-renewable urban resource

10. Council's Special Character Section 32 report itself describes the characteristics of Special Character Areas as a finite resource that cannot be replaced, and the irreversibility of their loss should underpin Council's assessment of the appropriate spatial extent of Special Character protection.

11. Housing capacity is capable of being redistributed. Council has demonstrated this through the current amendments to PC 120, which remove or reduce capacity from some parts of Auckland while retaining substantial overall capacity elsewhere.

12. The coherent character of established 19th- or early 20th-century neighbourhoods is not similarly transferable. Once its subdivision pattern, scale, streetscape, building relationships and historic built fabric have been substantially disrupted by incompatible development, those collective characteristics cannot effectively be reconstructed somewhere else.

13. It is important to be cognisant of cumulative effects arising over time, and whilst a decision not to intensify a particular Special Character site may result in potential housing capacity being transferred elsewhere, a decision allowing the irreversible loss of parts of a Special Character Area will likely have a permanent negative effect on that resource.

14. CTA submits that the substantially reduced statutory housing-capacity requirement (from 2 million to 1.4 million) strengthens the case for applying a precautionary approach where an identified Special Character resource could otherwise be permanently lost. It is important to bear in mind that the existing SCAs only account for probably only one quarter of all SCAs in existence in Auckland. This is evidenced by Council's failure to properly assess those buildings identified as part of the pre-1944 demolition overlay in the 2016 AUP process, and in this current PC 120 process, despite the necessary task of identifying all relevant qualifying matters, as distinct from simply reducing the existing identified ones, Council's failure to formally assess any of those potential SCAs previously identified.

5. Avoiding fragmentation of SCAs

15. Council's own assessment recognises the danger of fragmentation. Its guidance states that sub-areas should generally comprise at least a street or block, and that larger areas help prevent over-fragmentation. It also acknowledges that small, fragmented pockets of Special Character are more vulnerable to the effects of much taller adjoining development.

16. An area comprises a collection of individual properties that make varying contributions. The relevant assessment should include more than just the individual properties, but more comprehensively, the contribution of those properties to the "area," and the consequences of any proposed removal from the coherence and long-term survival of the now longstanding Special Character Areas.

17. CTA submits that this raises a wider issue. A methodology that progressively removes individual properties, clusters or edges from an established SCA can itself create the fragmentation subsequently relied upon as a reason for reducing protection further.

18. We also note the importance of introducing rules to appropriately manage the sensitive interface between SCAs and neighbouring zones.

6. Special Character Areas must be assessed as "areas"

19. CTA is also concerned that excessive reliance on scoring individual properties risks losing sight of the fundamental purpose of an area-based Special Character Overlay. Council's own analysis recognises this issue. Some properties could not be individually assessed from the public realm. Council nevertheless acknowledges that

they may contribute to subdivision patterns, development density, visual coherence, vegetation, landscape and the relationship between buildings and open space. Council further acknowledges that intensifying such rear or otherwise unseen sites could result in buildings becoming visible above, behind and between the existing streetscapes; changing historic subdivision patterns; removing vegetation; and making it difficult to maintain and enhance the values of the remaining Special Character Area.

20. This illustrates an important principle. The value of a Special Character Area does not consist merely of the aggregate architectural merits of individual houses. It also resides in the relationship between those houses, their scale, the rhythm and spacing of buildings, historic subdivision patterns, setbacks, gardens and vegetation, topography, street layout, and the coherence of the streetscape as a whole.

21. A building that makes only a moderate architectural contribution when considered individually may nevertheless make a meaningful contribution to the continuity and coherence of the wider area. CTA therefore submits that the reassessment of Special Character Areas should place greater weight on the coherence and integrity of the area as a whole, and on the effects that removing individual properties or groups of properties will have on the surviving area.

7. Maungawhau, Kingsland and Morningside require particular reconsideration

22. The issue of SCA reduction is significant within the walkable catchments of Maungawhau, Kingsland and Morningside stations, and also to a lesser extent, in the walkable catchments of Baldwin Avenue and Mt Albert Stations. This arises as a result of the government's intention to provide more intense development around transport hubs. Notwithstanding Council's ability to enable that level of intensification, Schedule C Part 1 Clause 4(2) still empowers Council to enable less development if authorised by Clause 8, which provides for qualifying matters. CTA considers this is important and reiterates that NPSUD Policy 3 does not expressly require any reduction in the extent of Special Character Areas.

23. In other words, sites possessing identified Special Character values that have been excluded from protection, in part because of new housing-capacity requirements, can, in fact, be retained, particularly since the underlying capacity requirement has now been substantially reduced.

8. The methodology for assessment of SCAs

24. In order to meet the legislative requirements for including SCAs as a qualifying matter, Council created, without consultation, a methodology using an arbitrary numerical scoring system for individual buildings. Its Section 32 report records that advice from its Special Character experts was that the characteristics of a Special Character Area exist where at least 67% of properties strongly contribute to the values of the area, and this threshold was extended to 75% of properties within walkable catchments.

25. Council's report explains that the higher threshold was adopted to recognise the greater effect that protecting Special Character Areas in accessible locations would have on the capacity to enable intensification. These percentage thresholds are arbitrary and bear no relationship to the value of those SCAs, and furthermore, the NPSUD contained no directive as to the required values of particular properties in those areas, or any express directive to exclude particular properties from those SCAs.

26. The requirement for a higher degree of coherence within walkable catchments when located near public transport is, as stated, arbitrary and the retention of properties that Council have chosen to exclude are not an impediment to intensification.

27. Council's methodology to exclude properties remains a matter in dispute, and CTA submits that the individual building scores and the thresholds are inappropriate, do not take into account all relevant factors, and the methodology is therefore inappropriate, in our opinion, for the purpose of determining the spatial extent of the SCAs to be retained.

28. It would appear that a simpler and more reliable methodology for determining residential SCAs might be gleaned from the methodology used, for example, in the SCA business overlays, with simpler bands of (1) character defining, (2) character contributing or supporting, and (3) character detracting or neutral, all of which could be deduced from the tabulated results of Council's site-by-site assessment which it undertook to satisfy legislative requirements. We consider that where modifications to homes in SCAs have occurred through a resource consent process requiring compatibility with Special Character values, those modifications are not detracting or neutral, and the Special Character values of those properties are likely to be "contributing."

29. The PC78 methodology, assessment results and mapping have been retained by Council for PC 120, and CTA considers that methodology, which has not been peer reviewed or consulted upon, still requires proper scrutiny through the PC 120 hearings process.

30. The Council, correctly, in CTA's view, provided for historic heritage as a qualifying matter, as prescribed in RMA s.771(a) and 770(a). The Council limited the extent of its provision for historic heritage in PC78 to the existing AUP Schedules of Historic Heritage, but there may be scope within PC 120 to propose additions to the heritage schedules in accordance with RMA s.771(a) and 770(a). There are, in fact, parts of existing SCAs of a value commensurate with some existing Historic Heritage Areas (HHAs) in the AUP, which could be therefore considered HHAs for the purpose of identifying qualifying matters in PC 120.

9. Council's economic evidence supports greater protection of SCAs

31. Council's Section 32 economic assessment considered the effect of Special Character qualifying matters on housing capacity in 41 housing-market areas containing Special Character sites within walkable catchments or Policy 3(d) areas.

32. It found that these markets already contain net additional plan-enabled capacity for approximately 109,880 dwellings, representing potential built capacity approximately 265% above the current level of development.

33. Council's economic assessment concludes that the impact of limiting development capacity through the Special Character qualifying matter will be very low, because development can occur on other sites within the same markets and price bands.

34. It goes further, concluding that the cost of the Special Character qualifying matter in limiting development capacity will be "extremely low," while the benefits of maintaining Special Character values will be high, and so the net benefit of the

Special Character qualifying matter can be justified (at existing AUP levels). It should further be noted that the existence of Special Character homes does not preclude intensification of those sites in accordance with the rules contained in AUP Ch D18, not to mention there is also additional capacity enabled by the provision of “minor secondary dwellings” (granny flats).

35. CTA considers these findings significant and that they demonstrate retaining Special Character need not be treated as being in conflict with providing substantial housing capacity.

36. Housing capacity can, in many cases, be provided elsewhere in Auckland, including beyond the arbitrary 10-kilometre radius of the city centre, whereas the identified Special Character values of an established neighbourhood cannot be relocated. Having said that, there does exist the potential with extension of cross-lease rules for existing Special Character homes to be modified and subdivided as a means of providing additional housing capacity.

10. Additional decisions sought

37. Civic Trust Auckland seeks that PC 120 (and/or proposed amendments) is approved with the following additional decisions we have requested:

(a) Reassess the proposed spatial extent of the Special Character Area Overlay in light of the reduction in Auckland's statutory minimum housing-capacity requirement from just over 2 million dwellings to approximately 1.4 million dwellings.

(b) Dismiss the 75% “high quality” threshold applied to Special Character Areas within walkable catchments, including whether the 67% threshold identified by Council's Special Character experts should apply, having regard to the materially reduced housing-capacity requirement.

(c) Reconsider the planning approach which sought to retain approximately 10% of the land area within each of the Maungawhau, Kingsland and Morningside walkable catchments as Special Character qualifying matters, and remove reliance on a predetermined percentage where a greater geographical area has been demonstrated to possess high-quality Special Character values.

(d) Reconsider retention of areas of Special Character removed or proposed to be removed principally because of their effect on housing capacity, using the current statutory capacity requirement and Council's revised PC 120 housing-capacity calculations.

(e) In that reconsideration, give appropriate weight to Council's economic evidence that the opportunity cost associated with protecting Special Character Areas is very low, that alternative development capacity exists in the same housing markets, and that the net benefit of the Special Character qualifying matter is high.

(f) Require the assessment of Special Character Areas to better consider the collective and cohesive values of the area, including subdivision pattern, streetscape, scale, setbacks, building relationships, vegetation, landscape, topography and open space, rather than relying primarily on the contribution score of individual buildings.

(g) Consider whether any particular Special Character Areas should more appropriately be included in the AUP as Historic Heritage Areas.

(h) Undertake any consequential amendments to the PC 120 maps, overlays, zoning and provisions necessary to give effect to the reassessment sought above.

11. Conclusion

38. CTA has previously made clear that it supports appropriate intensification. The issue raised by this additional submission is not whether Auckland should grow, but whether the permanent loss of recognised Special Character remains necessary to enable that growth under the substantially changed statutory circumstances.

39. Although it is not a matter that can necessarily be provided for in PC 120, CTA does note that this plan change probably represents the greatest likely expansion of Auckland in planning terms. The extensive upzoning and likely rise in property values that may occur would not be as a result of astute individual investment but rather the result of this government planning initiative. We therefore consider that government, be it central or local, should not miss the opportunity to extract some kind of betterment charge on behalf of Aucklanders.

40. Council's own evidence demonstrates that Special Character is finite and irreplaceable, while housing capacity is capable of being provided on other sites and in other locations.

41. The statutory requirement which materially influenced the SCA methodology has now been reduced by 32.5%. Council has used the resulting discretion to reconsider intensification across much of Auckland. That reduction, along with the likely upzoning in the city centre, removes any convincing imperative to reduce the current extent of SCAs in the AUP, and CTA remains convinced that the retention of those SCAs is warranted and is the appropriate course of action.

We wish to be heard in support of our submission.

If others make a similar submission, we will consider presenting a joint case with them at a hearing.

We declare we could not gain an advantage in trade competition through our submission.

Date of submission: 24 September 2026 Signature:



Audrey van Ryn
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