

AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

FACT SHEET

Fact Sheet 7 – Special housing areas

Date: 14 November 2014

This fact sheet has been developed to assist those participating in the hearings process for the Proposed Auckland Unitary Plan (the Plan). Please refer to the Auckland Unitary Plan Hearing Procedures document and procedural minutes at www.aupihp.govt.nz for more detail about the hearing process.

The hearings process is a requirement of the Local Government (Auckland Transitional Provisions) Act 2010 (LGATPA) and will be carried out by an independent hearings panel that has been appointed by the Minister for the Environment and the Minister of Conservation.

This fact sheet provides information about the impact of special housing areas on the hearing process for the Proposed Auckland Unitary Plan. Please also read the information about special housing areas on the Council's website [special housing areas](#).

What is a special housing area (SHA)?

A special housing area (SHA) is a location identified for fast-track development to boost Auckland's housing supply. It is set up under the Housing Accords and Special Housing Areas Act 2013 (HASHAA).

Does the HASHAA legislation impact on the Unitary Plan process?

Yes. The legislation (HASHAA) can impact on the content of the Proposed Auckland Unitary Plan (the Plan) and the status of submissions on the plan.

HASHAA allows people to apply for a qualifying development within the SHA using the new planning controls in the Proposed Auckland Unitary Plan, rather than the existing controls in the operative plans of the former councils.

It also allows people, in some circumstances, to seek a variation to the Proposed Auckland Unitary Plan controls as part of an application for a development in a SHA. The variation will usually be for a change to the zoning or precincts that may apply to the area.

If this variation to the zoning or precinct becomes operative **before** the hearings on the Plan have finished, then the Independent Hearings Panel has to follow the zoning for the SHA. The Panel cannot make a recommendation on the Plan that is inconsistent with the variation that enables the qualifying development.

If the final approval of the variation is **after** the zoning or precincts in the Proposed Auckland Unitary Plan become operative, then the variation will have to be withdrawn and the qualifying development has to comply with what is in the Unitary Plan for that area.

What does this mean for my submission on the Plan?

If a variation becomes operative before the provisions in the Plan become operative, your submission, if it relates to the area covered by the SHA, may be treated as withdrawn.

This does not have to mean that your entire submission is withdrawn.

The parts of your submission that will be withdrawn are:

- Any submission points that relate to the zoning or planning controls in the area covered by the SHA variation;
- Any submission points that are inconsistent with the SHA variation.

The parts of your submission that will **not be** withdrawn are:

- Any submission points about district plan provisions that are not part of the SHA variation; and
- Any submission points about the regional policy statement and regional provisions in the Plan.

If you would like more information about the impact of SHAs on the hearing process for the Plan, please read the [legal advice](#) provided to the Panel.

How will I know if my submission has been withdrawn?

The Auckland Council will let you know that this has happened.

Your withdrawn submission points will no longer be part of the hearing process and will be removed from the Parties and Issues report and the attached spreadsheet of submission points and pathways (see [Fact sheet 1 Parties and Issues report](#)).

Version control: Fact Sheet 7 - v 1.1 SHA 2014-11-14