

Crucial information for industry

Sites and Places of Significance to Mana Whenua within the Auckland Unitary Plan

Q: What is the Unitary Plan?

The Auckland Unitary Plan guides the use of the region's natural and physical resources, including land development. It is Auckland Council's first combined plan for the Auckland region and is made up of a Regional Policy Statement, Regional Plan (including a Regional Coastal Plan) and a District Plan. It replaces the former Regional Policy Statement and 12 district and regional plans.

The Unitary Plan became operative in part in November 2016. Some parts remain subject to Environment Court or High Court appeals. As appeals are resolved, a public notice is issued. Once all appeals are resolved, Auckland Council will notify the date on which the whole Unitary Plan is fully operative.

Q: What are Sites and Places of Significance to Mana Whenua?

Auckland Council is committed under the Auckland Unitary Plan to identify and protect Māori cultural heritage across the Auckland region. This is part of a wider obligation under the Resource Management Act 1991 to provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.

Sites and Places of Significance to Mana Whenua applies to sites and places in the Tāmaki Makaurau Auckland region that are protected for their significance to mana whenua. It acknowledges that sites and places have tangible and intangible cultural values in association with historic events, occupation, and cultural activities.

In 2014, council began working in partnership with mana whenua to develop a Māori Cultural Heritage programme to identify, map and protect sites and places of significance to mana whenua. Sites that had been recognised as places of significance by Auckland's pre-amalgamation legacy councils were made operative by Council in late 2016 (including sections of Te Wai Ariki / Rangī Puke / Te Reuroa / Albert Park, and Wai Kōkota and Te Tō / Victoria Park). With support from mana whenua, a tranche of further sites was put forward for assessment in 2017 and became operative, in part, on 12 March 2021. Council is working with mana whenua to add more sites to the schedule.

Q: When was Screen Auckland informed about the addition of Sites and Places of Significance to Mana Whenua to the Auckland Unitary Plan?

The Film Facilitation team became aware of a small number of specific areas of significance in the film permitting process in 2019. However, at that stage it didn't impact on filming, as the team was able to move producers to different non-significant zones within an overall site. Auckland Council's *Auckland Film Protocol 2019*, which was widely consulted on with the screen industry and public, noted Sites and Places of Significance to Mana Whenua among heritage considerations that may impact timeframes and costs associated with

temporary filming activity. Screen Auckland's facilitation team undertook to raise these impacts with productions at the point of initial enquiry and assist mitigating any impacts, even sourcing alternative sites if necessary.

The Tranche 1 Unitary Plan Change was notified in March 2019 and again in February 2020. Screen Auckland flagged the Sites and Places of Significance to Mana Whenua with senior industry figures in early 2020 when we began to understand its potential impact.

In 2021, the impact of the Sites and Places of Significance to Mana Whenua overlay on GeoMaps (used by Auckland Council for film permitting) began to fully reflect the newly expanded or newly listed sites for the first time.

By December 2021, Screen Auckland had received confirmation – after following multiple lines of enquiry over the preceding year – that the requirements of the Auckland Unitary Plan Sites and Places of Significance to Mana Whenua did apply to filming, along with all other 'temporary' activities on those sites. We were also advised not to pursue a plan change in relation to filming but to work within the existing plan and with industry to understand the impacts and mitigations – which could include a global resource consent as an interim partial solution.

Q: Given the scale of impact, why didn't you communicate with the screen industry sooner?

Screen Auckland flagged the Sites and Places of Significance to Mana Whenua with senior industry figures in early 2020 when we began to understand its potential impact.

A lot of work has been undertaken to understand Sites and Places of Significance to Mana Whenua and its potential impacts for the screen industry. Our focus was initially to ascertain whether temporary filming activities otherwise covered by the Trade, Events and Filming Bylaw were in scope. We then sought to understand various potential options and discuss potential solutions with experts – while supporting the importance of protecting areas of cultural value to mana whenua.

By late 2021, we were able to share potential solutions and discuss the issues in depth with industry – rather than go to industry with only problems.

While investigating potential options and solutions, Screen Auckland prioritised working closely with any productions immediately impacted by Sites and Places of Significance to Mana Whenua.

We formed a combined working group with the Auckland Council resource consents team, opened a standing pre-application for all screen feasibility questions relating to resource consent and mana whenua approvals, and secured Premium Account status for all screen productions wishing to move ahead with applying to film on sites or places of significance.

Screen Auckland will continue to advocate for the wider screen industry in our work to understand the implications of Site and Places of Significance to Mana Whenua and seek solutions to ensure ease of temporary filming activity.

Q: What is Screen Auckland doing about the potential impact to the screen industry?

Screen Auckland continues to work with a range of experts to understand the implications of Sites and Places of Significance to Mana Whenua for Auckland's screen industry and consider solutions.

We are also working with Auckland Unlimited colleagues to explore a global resource consent for temporary filming activity and major events. That type of consent would avoid the impacts of standalone consents for each use but can only be sought for specific locations (not 'all of Auckland', for example). Screen Auckland has asked industry to identify which sites should be the priority for any global resource consent application.

As we continue working with partners on the viability of a global resource consent, Screen Auckland arranged an online roundtable discussion with Auckland Council's resource consent team, New Zealand Film Commission, independent planners, mana whenua engagement advisors and key industry representatives. That took place in December 2021, and included outlining immediate measures to reduce the implications of resource consents for productions. This work is in its early stages and there will be need for ongoing dialogue between all involved to pave the way for long-term solutions.

In the meantime, Screen Auckland's facilitation team is doing its best to find suitable alternative locations for productions.

Q: How many sites and places are involved?

As of February 2022, there were 104 Sites and Places of Significance to Mana Whenua listed in the Auckland Unitary Plan. Four more sites are awaiting ministerial approval, which would take the total to 108. While more sites and places – including privately owned locations – will continue to be added over time, it is anticipated that process will take many years, allowing for the due diligence and consultation required for each location to be added to the schedule.

Q: What are some of the sites and places currently affected?

Popular locations for filming included in Schedule 12 Sites and Places of Significance to Mana Whenua include: Coyle Park; Te Wai Orea / Western Springs; Wai Kōkota and Te Tō / Victoria Park; Queen Street; Te Wai Ariki / Rangi Puke / Te Reuroa / Albert Park; Ambury Farm; Mutukaroa / Hamlins Hill; Ōpoutūkeha / Tukituki Muka / Cox's Bay Park; Fort Takapuna; Te Tapuwae o Mataaoho / Sturges Park; and Te Pane o Mataaoho / Te Ara Pueru / Māngere Mountain.

Q: How many sites and places are likely to be added to the schedule each year?

The Auckland Council Māori Heritage team is assessing 20 sites in Tranche 2 – mixed ownership (public and private), which it hopes to publicly notify in mid-2022.

Q: What are some of the sites and places likely to be affected in the future?

As at the start of 2022, there are 528 sites of significance awaiting assessment, with more nominations expected over time. Each year, the Auckland Council Māori Cultural Heritage Programme will allocate nominations into the next tranche of sites for assessment, which

will then be progressed – with the potential they will eventually be scheduled and/or managed. As noted in the Auckland Unitary Plan, these sites and places will include ancestral lands, water, sites, wāhi tapu and other taonga.

Q: Can I be told about sites and places likely to be affected as this information becomes available?

Yes. When a proposed schedule change is notified, there is an opportunity for the public and interested parties to make submissions (until the notification stage, consultation over future sites and places is confidential, at the request of mana whenua).

Anyone who takes part in the industry forums about this issue will be automatically notified. If you would like to be added to that database, please email screen@aucklandnz.com with the subject line 'Notifications re. future Sites and Places of Significance to Mana Whenua'.

Q: How do Sites and Places of Significance to Mana Whenua impact the screen industry?

Sites and Places of Significance to Mana Whenua provides that temporary filming activities on sites of significance are 'restricted discretionary' – meaning a resource consent is required. Resource consenting introduces additional time and cost requirements.

For example, Screen Auckland film permits start from \$50, and most applications are processed in three to five working days. Auckland Council non-residential resource consents start from \$4500 (processing only) and require at least 20 working days. As a result, there will be impacts for productions not able to move to an alternative venue in consultation with the Screen Auckland Facilitation team.

Q: What is the rationale for managing temporary filming activities with resource consents rather than the existing film permit process?

Film permitting on Auckland public, open space is covered by the Trade, Events and Filming in Public Places Bylaw 2022. The Auckland Unitary Plan is a separate mechanism for regulating activities within the region. Bylaws (under the Local Government Act) and resource consents (under the Resource Management Act) have different areas of focus.

The Resource Management Act provides a mechanism for environmental effects (including cultural effects) to be considered through resource consenting processes.

Q: Was there a review of the film permit process to assess whether it was appropriate or could be improved to meet the needs of mana whenua?

Not as part of the Sites and Places of Significance to Mana Whenua process, which has been managed by the Auckland Council Māori Heritage team. Screen Auckland has been advised to work with the process that has been agreed between Council and mana whenua groups in response to the national requirement for local government authorities to comply with the Resource Management Act in relation to places of cultural significance.

Over the next few months, Screen Auckland is preparing to engage with mana whenua in relation to acceptable terms and conditions for filming on sites and places of significance as part of a potential global resource consent application. As noted above, this would allow

Screen Auckland to pass on pre-approved terms and conditions to productions for selected locations via a permitting process. This consultation will provide further opportunity to hear from mana whenua (up to 20 groups across Tāmaki Makaurau) about how the screen industry can best meet their needs.

Q: It will be challenging for the industry to operate within resource consent timeframes, can the process be fast-tracked?

Auckland Council's resource consent team has advised a high-quality application – including written confirmation the relevant mana whenua group(s) have been consulted and given the opportunity to reply (approve, decline, amend) the proposed activity – is the best way to improve processing times. To support productions with this process, Screen Auckland has engaged an external mana whenua advisor and planner. Please contact screen@aucklandnz.com to find out more.

As outlined above, we're also working with Auckland Unlimited colleagues to explore a global resource consent for temporary filming activity and major events. This would cover a set number of specific named sites with terms and conditions of use already pre-approved by mana whenua. Any such consent would be passed on to an applicant production by Screen Auckland, in a similar way to standard film permitting. This would significantly fast-track the process for productions and simplify the process for some key locations.

Q: What are the impacts of Sites and Places of Significance to Mana Whenua to the screen industry while a solution is sought?

Due to a lack of precedence in Auckland, it is difficult to fully anticipate the impact of resource consent requirements for temporary filming activities. However, the main impacts are additional cost and time requirements.

For most screen productions there are many viable alternative public sites that are not on the Sites and Places of Significance to Mana Whenua schedule. Screen Auckland facilitators will work with any production to discuss alternative sites that are available through the standard permitting process.