

MATTHEW CASEY

KING'S COUNSEL

7 May 2025

Phil Wilson
Chief Executive
Auckland Council

CC: Megan Tyler, Director Policy, Planning and Governance
John Duguid, General Manager Planning and Resource Consents

Dear Mr Wilson,

On behalf of the Independent Hearing Panel appointed by Auckland Council to make recommendations on Plan Change 78: Intensification (**PC78**), I am pleased to present our Recommendation Report for the Business – City Centre Zone of the Auckland Unitary Plan Operative in Part (**AUP**).

On 12 March 2025 the Minister Responsible for Resource Management Reform directed Auckland Council to notify its decisions on the parts of PC78 which are subject to Policy 3(a) of the NPS-UD by 30 May 2025. The Minister for the Environment's previous direction requiring the Council's decisions on the balance of PC78 remains unchanged, as 31 March 2026.

Policy 3(a) applies to city centre zones of tier 1 urban environments which in Auckland's case is the Business – City Centre Zone, including the Precincts within that Zone. The Panel has accordingly separated out for inclusion in this Report only matters relating to the enabling (through PC78) of the building heights and urban form required by Policy 3(a), including as to qualifying matters provided for by Policy 4, in accordance with provisions incorporated into the Resource Management Act 1991 by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

With the Report we are also submitting the PC 78 as notified version of the relevant provisions of the AUP (principally in Chapter H8 Business – City Centre Zone) which has been updated to incorporate the changes recommended in our Report. Against the possibility that we have not carried across all of the recommendations or of other errors, the recommendations in our Report are to take precedence.

If you require any other information or clarification at this stage or to enable the Council to make its decisions on this part of PC78, please contact the Panel through Sam Otter, Senior Hearings Advisor (sam.otter@aucklandcouncil.govt.nz).

Yours sincerely,



Matthew Casey, KC

Chair, Independent Hearing Panel – Plan Change 78