

IN THE MATTER of the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER **Plan Change 78 (PC78) - to the Auckland Unitary Plan -
Operative in Part (AUP)**

DIRECTION FROM THE HEARING PANEL – 24 MARCH 2025

**DEFERRING THE HEARING DATES FOR THE METROPOLITAN CENTRE OUTSTANDING MATTERS HEARING
AND PROGRAMME FOR THE COMPLETION OF PC78**

1. The Panel has received memorandum from Auckland Council dated Friday 14 March 2025 that attaches a letter from the Minister of RMA Reform dated 12 March 2025.
2. The Panel has also seen the Resource Management (Direction for the Intensification Streamlined Planning Process to Auckland Council) Amendment Direction 2025 (“the Amendment Direction 2025”) notified on Friday 14 March 2025.
3. The Amendment Direction 2025 has three key components:
 - A **new** direction that Auckland Council must notify its decisions on the Panel’s recommendations on the parts of PC78 that are subject to policy 3(a) of the NPSUD (that is, the City Centre) by 30 May 2025.
 - Confirmation that the direction that Auckland Council notify its decisions on the Panel’s recommendations on the remainder of PC78 by 31 March 2026 is not otherwise revoked and remains in place.
 - **Revocation** of directions given in the Amendment Direction 2024 stating the Minister’s expectations for Auckland Council to notify a plan change (or similar) to address the management of significant risks from natural hazards, and enable intensification within the Auckland Light Rail corridor, both by 30 April 2025.

Deferring the Metropolitan Centre Outstanding Matters hearing

4. Due to the timeframe given by the Minister for Auckland Council’s decision on the City Centre component of PC78, the Panel now requires the time set aside for the Metropolitan Centre Outstanding Matters (“MCOM”) hearing to complete its recommendation to the Council in time for the decision to be made by 30 May 2025.
5. The Panel therefore directs that the MCOM hearing be deferred.
6. The new dates for the MCOM hearing will be Tuesday 3, Wednesday 4, Thursday 5, Monday 9, Tuesday 10 and Wednesday 11 June 2025. Friday 6, Thursday 12 and Friday 13 June 2025 will be set aside as overflow days should the Panel require them.
7. The Panel will retain the current evidence exchange dates as notified, excluding the Legal Submissions. The Legal Submission are now due midday Friday 23 May 2025.

8. The section of the Panel's 14 March 2025 Minute excusing Ms Carolyn O'Neill from appearing at the hearing no longer applies.

Council to produce a programme of works for completion of PC78

9. The Minister's letter and the Amendment Direction 2025 confirms that Auckland Council's decisions on PC78 will still be required to give effect to the NPSUD and implement MDRS by 31 March 2026 but removes the requirement for Council to progress plan changes or variations on the Light Rail Corridor and Natural Hazards.
10. The Panel remains concerned about the considerable uncertainty regarding the need to schedule the remainder of PC78 in order for the Council to comply with the March 2026 deadline. The Minister's letter and the Amendment Direction 2025 have compounded that concern.
11. The Panel seeks further information from the Council to help inform the Panel's decision making on scheduling the remainder of PC78.
12. The Panel directs that the Council provide it with:
 - A high level, indicative programme (including time periods) for the resumption of hearings through to when the Council will need the Panel's recommendation in order to make a decision on PC78 by 31 March 2026; and
 - An indication of how the Council proposes in those hearings to address the Light Rail Corridor and issues relating to natural hazards.
13. The Panel request this information, along with Council's monthly update, by Monday 1 April 2025.

Any enquiries regarding this Direction, or related matters, should be directed to the Senior Hearings Advisor, Mr Sam Otter by email at npsudhearings@aucklandcouncil.govt.nz



Sarah Shaw
Deputy Chairperson
24 March 2025

Before the Independent Hearings Panel

In the matter of the Resource Management Act 1991 (**RMA**)

And

In the matter of Plan Change 78: Intensification (**PC78**) to the
Auckland Unitary Plan (Operative in Part) (**AUP**)

**Memorandum of counsel on behalf of Auckland Council to the
Independent Hearings Panel regarding correspondence from Minister
of Housing, Infrastructure, RMA Reform, and Transport, dated 12
March 2025**

Date: 14 March 2025



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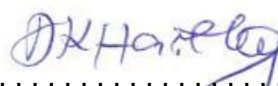
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MAY IT PLEASE THE PANEL

- 1 This memorandum is filed on behalf of the Auckland Council (**Council**) and further to the Council's reporting memorandum dated 28 February 2025.
- 2 We are instructed that since the Council's latest reporting memorandum to the Panel dated 28 February 2025, the Council has received a letter from the Minister Responsible for RMA Reform Hon Chris Bishop dated 12 March 2025. A copy of this letter is **attached** to this memorandum.
- 3 In light of the reference in the Minister's letter to early decisions on the City Centre aspects of PC78, the Council respectfully seeks an indication from the Panel as to when the Panel considers that it will likely be in a position to provide its recommendations to the Council on the aspects of PC78 that relate to Policy 3(a) of the National Policy Statement on Urban Development 2020.

Date: 14 March 2025



.....
D K Hartley / A F Buchanan
Counsel for Auckland Council for
PC78

Hon Chris Bishop

Minister of Housing
Minister for Infrastructure
Minister Responsible for RMA Reform
Minister of Transport
Leader of the House
Associate Minister of Finance
Associate Minister for Sport and Recreation



12 MAR 2025

CB-COR1323

Mayor Wayne Brown
Auckland Council
By email: mayor.wayne.brown@aucklandcouncil.govt.nz

Dear Mayor Brown

Thank you for your letter dated 1 November 2024 and the subsequent conversations we have had on ensuring Auckland is able to grow and develop to be a more productive, prosperous, attractive, and well-functioning city that can lift economic growth and living standards for all New Zealand.

As Minister Responsible for RMA Reform, I appreciate your council working closely with my officials to explore options for updating the Auckland Unitary Plan to better address natural hazards, making progress on the National Policy Statement on Urban Development (NPS-UD) and Medium Density Residential Standards (MDRS).

Amendments to the direction

As a step towards supporting good urban outcomes and increasing development capacity, I am amending the Minister for the Environment's Direction for the Intensification Streamlined Planning Process to Auckland Council (the direction) on the timing and sequencing of decisions on Plan Change 78 (PC78). These changes will provide for early decisions to be made on the city centre components, by bringing forward NPS-UD Policy 3(a) decisions to 30 May 2025. Your council officers have indicated this should be achievable, while also providing impetus for the Independent Hearings Panel and council to prioritise the work required to bring this capacity on stream quickly.

To help enable effort to be focused on this work, I am removing the 'statement of expectations' from the direction, which previously included notifying a plan change to enable intensification within the Auckland Light Rail corridor and address the management of natural hazards by 30 April 2025. This change does not mean that council is not required to do the upzoning work within the Auckland Light Rail corridor, PC78 will still be required to give effect to the NPS-UD and implement the MDRS by 31 March 2026.

I also acknowledge that your council is committed to progressing a plan change to address natural hazard risk as soon as possible.

Resource management reform

In your letter and in our recent conversations, you outlined the need for further solutions for PC78. The Resource Management (Consenting and Other System Changes) Amendment Bill 2024 is intended to provide these solutions. The Bill, which is currently before the Environment Select Committee, provides a pathway forward to withdraw those parts of PC78 that cannot be progressed and to notify a subsequent plan change which would go further on enabling housing intensification and address natural hazards. The Select Committee will be considering workability as part of their process, and I expect an achievable outcome from this.

There are further opportunities ahead through resource management reform. It is my intention to introduce legislation to replace the Resource Management Act 1991 before the end of this year.

I look forward to continuing our discussions on these important issues, and I again thank you for all your work to date. Housing supply is a critical issue for the Government, and I appreciate the work you are doing to advance housing and transport solutions for Auckland.

Yours sincerely



Hon Chris Bishop
Minister Responsible for RMA Reform

This secondary legislation is administered by the Ministry for the Environment. For more information please see:

Website: <http://www.environment.govt.nz>

Contact phone: 0800 499 700

Contact address: PO Box 10362, Wellington 6143, New Zealand

Resource Management (Direction for the Intensification Streamlined Planning Process to Auckland Council) Amendment Direction 2025

This direction is made under sections 80L and 80M of the Resource Management Act 1991 by the Minister Responsible for RMA Reform (in accordance with section 7 of the Constitution Act 1986), after complying with section 80L(3) of the Resource Management Act 1991.

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Notice

1 Title

This direction is the Resource Management (Direction for the Intensification Streamlined Planning Process to Auckland Council) Amendment Direction 2025.

2 Commencement

This direction comes into force on 17 March 2025.

3 Decision notification direction

- (1) Auckland Council must notify its decisions on the independent hearing panel's recommendations on the parts of Plan Change 78 that are subject to Policy 3(a) of the National Policy Statement on Urban Development 2020, in accordance with clause 102 of Schedule 1 of the Resource Management Act 1991, no later than 30 May 2025.
- (2) For the avoidance of doubt, the Minister's direction to Auckland Council described in clause 3(a) of the direction notified as the Resource Management (Direction for the Intensification Streamlined Planning Process to Auckland Council) Amendment Notice 2024 in the *New Zealand Gazette*, 15 April 2024, No. 2024-s11708, being a direction to Auckland Council to notify its decisions on the independent hearing panel's recommendations on Plan Change 78 under clause 102 of Schedule 1 of the Resource Management Act 1991 no later than 31 March 2026, is amended only insofar as amended by clause 3(1) of this direction, and is not otherwise revoked.

4 Reporting direction

Auckland Council must provide a report to the Ministry for the Environment every three months from the date this direction commences about its progress on Plan Change 78. The report must identify any issues which may affect Auckland Council's ability to comply with the Minister's direction.

5 Certain past directions revoked

- (1) The following directions in the direction notified as the Resource Management (Direction for the Intensification Streamlined Planning Process to Auckland Council) Amendment Notice 2024 in the *New Zealand Gazette*, 15 April 2024, No. 2024-s11708, are revoked:
 - (a) the directions relating to the Minister's statement of expectations described in clauses (4) and (5) under the heading "Minister Responsible for RMA Reform's Statement of Expectations for the Intensification Streamlined Planning Process for Auckland Council (made under section 7 of the Constitution Act 1986)"; and
 - (b) the direction relating to reporting to the Ministry for the Environment described in the paragraph under the heading "Minister Responsible for RMA Reform's additional Direction for the Intensification Streamlined Planning Process to Auckland Council".

6 Principal direction amended

This direction amends the direction notified as the Resource Management (Direction for the Intensification Streamlined Planning Process to Auckland Council) Notice 2022 in the *New Zealand Gazette*, 27 April 2022, No. 2022-s11599, read alongside the direction notified as the Resource Management (Direction for the Intensification Streamlined Planning Process to Auckland Council) Amendment Notice 2024 in the *New Zealand Gazette*, 15 April 2024, No. 2024-s11708, only to the extent specified in this direction.

Made at Wellington on 10 March 2025

Hon Chris Bishop
Minister Responsible for RMA Reform

Explanatory note

This note is not part of the direction but is intended to indicate its general effect.

This direction, which comes into force on 17 March 2025, is made by the Minister Responsible for RMA Reform (in accordance with section 7 of the Constitution Act 1986), under sections 80L and 80M of the Resource Management Act 1991 (the **RMA**), after complying with section 80L(3) of the RMA.

Auckland Council must comply with this direction. Part 6 of Schedule 1 of the RMA specifies the requirements of any intensification streamlined planning process. Section 80M of the RMA provides the Minister the ability to amend this direction on their own initiation or following a request from Auckland Council. Auckland Council may, in accordance with section 80M of the RMA, apply in writing to the Minister for an amendment to the direction.

This direction is secondary legislation for the purposes of the Legislation Act 2019. A copy of the direction can be accessed on www.environment.govt.nz.

Issued under the authority of the Legislation Act 2019.

Date of notification in Gazette: 14 March 2025

This notice is administered by the Ministry for the Environment.

Resource Management (Direction for the Intensification Streamlined Planning Process
to Auckland Council) Amendment Direction 2025

This is secondary legislation issued under the authority of the Legislation Act 2019 .	
Title	Resource Management (Direction for the Intensification Streamlined Planning Process to Auckland Council) Amendment Direction 2025
Empowering Act	Resource Management Act 1991
Empowering provision(s)	Sections 80L and 80M
Maker name	Minister Responsible for RMA Reform
Administering agency	Ministry for the Environment
Date made	2025-03-10T00:00:00
Publication date	14 March 2025
Notification date	14 March 2025
Commencement date	17 March 2025
End date (when applicable)	N/A