

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

AND

IN THE MATTER **Intensification Planning Instruments Plan Change (IPI)— Plan Change 78 - to the Auckland Unitary Plan – Operative in Part (AUP)**


MINUTE AND DIRECTION (28 MARCH 2024) FROM THE INDEPENDENT HEARING PANEL

DEFERRING PC 78 PROGRAMME (EXCEPT HISTORIC HERITAGE) IN RESPONSE TO MINISTERIAL LETTER OF 26 MARCH 2024

1. On 27 March 2024 the Hearing Panel received from Auckland Council a copy of the letter dated 26 March 2024 from Hon Chris Bishop, Minister Responsible for RMA Reform (attached to this Minute). The Minister’s letter is to be considered by Council’s Planning, Environment and Parks Committee on 11 April 2024, following which the Council will report to the Panel.
2. The Minister’s letter is confusing and the Panel will shortly issue a minute requesting clarification both of the letter and of Council’s understanding as to what the Minister requires. It is apparent that the Minister has acceded to the Council’s request of 1 February 2024 for a further 12-month extension to complete the Intensification Streamlined Planning Process, of which PC 78 is an integral part. The extension is, however, qualified.
3. The Minister’s reasons for the extension primarily relate to the complexities brought about by the severe storms in 2023 and the Government’s recent decision to halt the Auckland Light Rail project. As well as directing what should take place in response to these, the Minister expects the Council to continue progressing the NPS – UD elements of PC 78, where practicable.
4. Due to the uncertainty of what this will involve, not only for the Panel but for Council and submitters, the Panel has decided to pause its program on PC 78 for a period of two months, until the end of May 2024. This pause will not apply to the forthcoming hearing on 9 April 2024 of Topic 009H Qualifying Matters A-I Historic Heritage; nor to completing the City Centre Zone hearings, as to which the only outstanding matter is Council’s reply submissions (already received), and the expert conferencing on the Bonus Floor Area Ratio provisions.
5. All other matters that were tentatively or formally scheduled for April and May 2024 will be deferred for a two-month period. The Panel has instructed the Hearings Advisor to update the timetable to allow for this pause, with the program re-commencing in June 2024.
6. The Panel is unable to direct any longer deferral than this in the current circumstances, as there is clearly an expectation from the Minister that the Panel will proceed and complete as much of its

current work program as it can. The situation may, however, change depending on what further direction and/or clarification is forthcoming from the Minister or the Council.

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

A handwritten signature in cursive script that reads "McCasey".

Matthew Casey, KC
Chairperson

28 March 2024