

Before the Independent Hearings Panel

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

And

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

**Memorandum of counsel for Auckland Council regarding
correspondence from Minister of Housing, Infrastructure, Sport &
Recreation, and RMA Reform to Auckland Council dated 8 May 2024**

Date: 14 May 2024



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MAY IT PLEASE THE PANEL

Introduction

- 1 This memorandum of counsel for Auckland Council (**Council**) is filed in regard to further correspondence received from the Minister of Housing, Infrastructure, Sport & Recreation, and RMA Reform (**Minister**) on 8 May 2024.
- 2 We are instructed that the Council has received the **attached** letter in response to the Council's letter to the Minister dated 3 May 2024.
- 3 We are advised that, within a week, the Council intends to file with the Panel a further memorandum addressing the matters/expectations raised in the Minister's letter.

Date: 14 May 2024



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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 for Sport and Recreation
Leader of the House
Associate Minister of Finance



08 MAY 2024

Auckland Council

mayor.wayne.brown@aucklandcouncil.govt.nz

Dear Wayne, Richard and Angela

Thank you for your letter dated 3 May 2024 and for progressing the City Centre section of the Unitary Plan. I welcome, by 30 April 2025, your intention to notify the plan change or variation to address the management of significant risks from natural hazards, enable intensification within the Auckland Light Rail corridor, and to enable intensification in all other appropriate areas not otherwise progressed.

I understand the procedural constraints with the Resource Management Act 1991 (RMA) and your request for changes to address the need for housing in the right places while reflecting greater understanding of natural hazards. My officials are working on legislative options and will work with you to provide advice to me and Ministers on this matter.

In the meantime, and as you indicate in your letter, I welcome your intention to confirm changes to the City Centre. In addition, I consider there are other important parts of Plan Change 78 that it will be sensible to progress. I acknowledge there is concern with the overlapping of future plan changes or variations for natural hazards, Auckland Light Rail (ALR) corridor and opting out of the Medium Density Residential Standards. However, it is possible to make progress on the spatial areas defined by policies 3(b) and (c) of the National Policy Statement on Urban Development (NPS-UD) given the urgent need for additional development around these areas.

Therefore I expect Auckland Council to progress intensification policies 3(b) and (c) and 4 of the NPS-UD, being within the Metropolitan centres and the walkable catchments where there is little to no flooding impacts, and not within the ALR corridor, including:

- around Rapid Transit Stops (including the busways and the rail network)
- around Metropolitan centres
- around the City Centre zone (acknowledging the City Centre zone is progressing per policy 3(a)).

The Metropolitan centres are generally connected to the rapid transit network and are key hubs for commercial activity akin to the City Centre. I consider that these areas should be progressed in the same way the City Centre zone has been agreed to progress.

In the interests of clarity and any avoidance of doubt my expectation is that Auckland Council produces a list of locations where there is little or no risk of flooding which can be progressed for hearings and decision-making. I recommend that this list is shared with the Independent Hearing Panel and agree with the Panel on a viable date to produce

recommendations to progress policy 3(b) and (c) and 4 of the NPS-UD before coming back to me.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Chris Bishop', with a stylized flourish at the end.

Hon Chris Bishop
Minister Responsible for RMA Reform

Cc: Hon Simeon Brown, Minister for Auckland