

Notice to Minister for direction to use the streamlined planning process

Part 1: Notice to Minister for direction to use the streamlined planning process

To the responsible Minister,

Requester details

Full name of the local authority making request (the requester) [Auckland Council](#)

Contact person: [Phill Reid](#) Job title: [Auckland wide Planning Manager](#)

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This notice is for a direction to use the streamlined planning process to prepare the Auckland Housing Planning Instrument as required under Clause 5(1) of Schedule 3C Resource Management Act 1991.

Describe the matters that the Auckland Housing Planning Instrument will address

[Plan Change 120 Housing Intensification and Resilience is the Auckland Housing Planning Instrument](#)

[Integrated management of housing intensification and natural hazards management for Auckland. A full description can be found within the agenda materials published for the extraordinary Policy and Planning Committee dated 24 September 2025 through the following link:](#)

<https://www.aucklandcouncil.govt.nz/about-auckland-council/how-auckland-council-works/meetings-council-bodies/find-meeting/committee-meetings/Pages/planning-environment-parks-committee-meetings.aspx>

[Supplementary agenda includes section 32 overview, section 32 economic matters, Housing Capacity results and Committee presentation as displayed.](#)

https://infocouncil.aucklandcouncil.govt.nz/Open/2025/09/20250924_PEPCC_MAT_13702_EXTRA_WEB.htm

[Attachments to this notice include the following:](#)

- Revised Chapter H Terrace Housing and Apartment Buildings Zone provisions and section 32 report to reflect Committee resolutions.
- Memo dated 11 September to Department of Conservation.
- Policy and Planning Committee minutes – 24 September 2025.
- Plan enabled capacity modelling results – final run together with supporting memo. To be provided as further information on 23 October 2025.

Plan Change 120 addresses additional matters related to natural hazards. Clause 5(2) of Schedule 3C of the Resource Management Act 1991 provides for this on the basis that at least one of the criteria in section 80C(2) (a), (b), (c), (d), (ea), or (f) are met. It is submitted that the natural hazard management components of proposed Plan Change 120 meet both criteria (b) and (c) on the basis that the scale and rate of development in Auckland necessitates urgency in strengthening the Auckland Unitary Plan's management of subdivision use and development in locations subject to natural hazards. This is also reflective of the now strengthened section 86B(3)(f) determination that natural hazard rules within proposed plan changes have immediate legal effect from notification.

It is also submitted that criteria (c) is met as there is a community expectation in Auckland that Council will move with expediency to strengthen its management of developments that are proposed within locations of natural hazard risk.

Note - Resolution number PEPCC/2025/144 c) *tāpae / delegate authority to the Director Policy, Planning and Governance to correct any errors and anomalies with the draft replacement plan change prior to notification*. Errors and anomalies across the maps, text and section 32 reports continue to be identified following the close of the agenda for the 24 September 2025 Policy and Planning Committee meeting. This will also include final alignments of all documents with final plan enabled capacity results post 23 October 2025. These will be collated and agreed to under the above delegation prior to notification on 3 November 2025.

Plan enabled capacity modelling for those parts of Plan Change 78 made operative (City centre provisions) or proceeding through recommendation steps to operative (Metro centres zones) will be undertaken following the required capacity modelling of Plan Change 120. It is anticipated that the results of this modelling will be available for reporting on by the end of 2025.

The proposed planning instrument (please tick one):

- ☐ Does not relate to the coastal marine area
- ☒ Relates partly to the coastal marine area
- ☐ Relates wholly to the coastal marine area

Please note, if the matter relates wholly to the coastal marine area, references to the Minister in this form should be read as the Minister of Conservation. If the matter relates to the coastal marine area in part, references to the Minister in this form should be read as the Minister Responsible for RMA Reform and Minister of Conservation.

Does the Auckland Housing Planning Instrument include provisions of a kind permitted under clause 5(2) of Schedule 3C of the RMA?

Yes

Part 2: Description of proposed streamlined planning process

Please provide details of the process you will use, and the timeframes proposed for the steps in that process. The proposed process must include the following **minimum steps in red**. If required, you may add additional steps before, in between, or after these mandatory steps

	Procedural requirement (process step)	Description	Timeframes (dates or working days if appropriate)
	Please enter the process steps you will use. You may add as many steps as required between, after, or before the minimum requirements.	Please enter a brief description of the process step proposed	Please enter working days as appropriate
1	Consultation with affected parties on the proposed planning instrument, including any applicable Crown Agency and iwi authorities (if not already done).	See: Replacement Plan Change Māori Matters s32 Engagement Report (attachment 26 to 24 September Committee Agenda)) Replacement Plan Change Consultation and engagement s32 Report (attachment 25 to 24 September Committee Agenda)	October 2024 – September 2025 (natural hazard matters) 21 August 2025 – September 2025 (intensification matters) Consultation only occurred as required under clause 3 of Schedule 1 in the limited time available. No consultation is proposed with any other affected parties.
2	Public notification of the proposed planning instrument in accordance with clause 5 (other than clause 5(3)), or limited notification under clause 5A of Schedule 1 of the RMA	3 November 2025 Depends upon meeting clause 5(1A) first schedule requirements and completion of Ministers acceptance of Auckland Housing Planning Instrument Notice.	3 November 2025
3	An opportunity for written submissions under clause 6 or 6A of Schedule 1 of the RMA	Yes	3 November 2025 until 19 December 2025. Depends on a section 37 waiver to support this 6 (30 working days) week submission period.
3a	Public notice of Summary of Decisions Requested (SDR) to invite further submissions	Further submissions on points of relief of primary submissions	Notice of further submissions 26 February 2026. Further submissions close 12

	Procedural requirement (process step)	Description	Timeframes (dates or working days if appropriate)
			March 2026 (10 working days).
4	A report showing how submissions have been considered and the changes (if any) made to the proposed planning instrument; and	Provision to Panel - Documents from notification together with updated SDR to link further submissions to primary submissions. All hearing steps then undertaken – Hearing topic determination and scheduling, Alternative dispute resolution, evidence filing, hearings, deliberations, report (including section 32AA) preparation. Panel then issue recommendations report to Council.	1 April 2026 – 1 May 2027
5	The preparation of an evaluation report on the proposed planning instrument under section 32 or 32AA, as may be relevant	Evaluation report by Panel	Timeframe as above
6	Council to consider the recommendations of the SPP Panel under clause 86 of Schedule 1 of the RMA	30 working days. Timeframe reflective of scale of change to both text and maps. With an anticipated 10,000 primary submissions the scale of relief sought will generate substantial material to evaluate and where appropriate develop further s32AA reports for council committee consideration and decision making.	1 May 2027-12 June 2027 (30 working days)
7	To notify the decisions on SPP panel recommendations under clause 86 of Schedule 1 of the RMA	10 working days following committee decisions to publicly notify the decisions	26 June 2027
8	Total time required for the SPP to be completed	30 October 2025 – 26 June 2027	20 Months

Other additional procedural steps

Please provide a justification for each additional procedural step and the proposed timeframe. Please provide a summary in the table above. Any further details can also be provided below:

Further submissions step justified due to delayed enactment of RMA amendment act which constrained the ability to prepare the plan change and undertake consultation. In addition the scale of change to development rights are substantial therefore resulting in the likelihood that relief sought by primary submissions will be of direct material impact upon parties that were not primary submitters. Further submissions would provide a mechanism for these impacted parties to gain standing in the process.

Resolution number PEPCC/2025/144 d(iii) from the 24 September 2025 Policy and Planning Committee meeting seeks that this notice under clause 75A of Schedule One request of the Minister that:

iii) that there be a “friend of submitter” appointed to assist submitters in making submissions.

I can confirm that Auckland Council is equally committed to the provision of this service and is willing to support the process to establish this service and to make contribution towards its running costs.

Part 3: Recommended size and expertise requirements of Streamlined Planning Process Panel members

Please describe desired size and expertise required of SPP panel commissioners for the establishment of the SPP panel.

Size of SPP panel

Minimum size	Maximum size	Reasoning
9 members	9 members	Enables split panel hearings and efficiencies in deliberations and recommendations writing. Assumed well resourced secretariat and mediators pool to expedite process.

Expertise required for SPP panel

SPP member	Expertise required	Reasoning
Chair	Planner or lawyer	Breadth of understanding for planner, and for the lawyer the ability to manage process effectively
Members of the Panel	Planning, legal, natural hazards, urban design, cultural values, economics, architecture,	Issues at stake in plan change and ability to consider evidence. Note that many panel members will need to have dual areas of expertise.

SPP member	Expertise required	Reasoning
	landscape, infrastructure.	

Part 4: Parties affected by the Auckland Housing Planning Instrument

Your notice must include:

- the persons you consider likely to be affected by the Auckland Housing Planning Instrument, and the reasons why

All of Auckland. E36 Auckland-wide chapter changes for natural hazards proposes changes to development rights across all zones. Secondly all of the urban Auckland areas are impacted by intensification (zoning and significant height impacts).

- a summary of any consultation done on the proposed planning instrument (including how it complies with clause 3 of Schedule 1 of the RMA and consultation with iwi authorities),

Natural hazard aspects of plan change have involved consultation with iwi authorities, storm affected communities and other stakeholders. For all other aspects of the plan change – very limited consultation has occurred and only in accordance with clause 3(1) of Schedule 1 of the RMA due to timeframes associated with the recent amendments to the RMA. The Council also obtained Local Board views on PC120.

Part 5: Implications of the proposal for any relevant iwi participation legislation

Your notice must outline the implications of using the SPP process for any relevant¹ iwi participation legislation or Mana Whakahono ā Rohe: iwi participation arrangement entered under subpart 2 of Part 5 of the RMA.

Not applicable – no Mana Whakahono ā Rohe agreements signed in Auckland.

Part 6: Requirements for Auckland Housing Planning Instrument in Clause 4 of Schedule 3C of the RMA

You must provide information about how the Auckland Housing Planning Instrument meets the requirements of clause 4 of schedule 3C of the RMA.

Requirements for the Auckland Housing Planning Instrument under clause 4 of Schedule 3C of the RMA		Checklist of information
	Clause 4(1)(a): Provide at least the same amount of housing capacity that would have	✓ Section 32 evaluation report

¹ In this case, 'relevant' means focused on the particular local authority concerned, on policy planning matters under the RMA to the subject matter of the proposed planning instrument.

Requirements for the Auckland Housing Planning Instrument under clause 4 of Schedule 3C of the RMA		Checklist of information
	been enabled if Plan Change 78 (as notified) were made operative;	 Housing Capacity Assessment (HCA) and supplementary reports. HCA assessment should include:  amended baseline for PC78, including how this was calculated  Auckland Housing Planning Instrument's enabled capacity
	Clause 4(1)(b): Enable, within at least a walkable catchment of Maungawhau (Mount Eden), Kingsland and Morningside Stations: (i) heights and densities commensurate with the greater of- (a) demand for housing and business use in those locations; or (b) the amount of housing and business use that is appropriate given the level of accessibility to commercial activity and community services in those locations and (ii) in all cases, building heights of at least 15 storeys in those locations.	 Section 32 evaluation report  Relevant illustrative maps
	Clause 4(1)(c): Enable, within at least a walkable catchment of Baldwin Avenue and Mount Albert Stations: (i) heights and densities commensurate with the greater of- A. demand for housing and business use in those locations; or B. the amount of housing and business use that is appropriate given the level of accessibility to commercial activity and community services in those locations; and (ii) in all cases, building heights of at least 10 storeys in those locations	 Section 32 evaluation report  Relevant illustrative maps
	Clause 4(1)(d): Give effect to Policy 3(c) and (d) of NPS-UD (noting that Policy 3(a) and (b) of the NPS-UD were given effect to through PC78: Intensification)	 Section 32 evaluation report
	Auckland may amend the Auckland Unitary Plan to enable less development than that required by subclauses (1)(b) and (c) of	 Section 32 evaluation report

Requirements for the Auckland Housing Planning Instrument under clause 4 of Schedule 3C of the RMA		Checklist of information
	clause 4 of Schedule 3C or policy 3 of the NPS-UD if authorised to do so by Clause 8 of Schedule 3C	

Signature

By typing your name in the space provided, you are electronically signing this application form and certifying the information given in this application is true and correct.



Louise Mason, General Manager Policy
Auckland Council
2 October 2025