

**PROPOSED PLAN CHANGE 120 –
HOUSING INTENSIFICATION AND RESILIENCE**

**HEARING DIRECTION 4 FROM THE INDEPENDENT HEARINGS PANEL
(FOLLOW-UP SOUGHT ON SCHEDULING PC120)**

27 MARCH 2026

1. Introduction

- 1.1 On 27 February 2026, the Independent Hearings Panel (**the Panel**) for Proposed Plan Change 120 – Housing Intensification and Resilience (**PC120**) to the Auckland Unitary Plan Operative in Part (**AUP**) issued a direction (**Direction 3**) to the Auckland Council (**the Council**) to provide the Panel with an update on the Council's intended response and approach to the Minister's recent announcement¹.
- 1.2 On 20 March 2026, the Panel received the Council's response² to Direction 3. The Council's memorandum generally advised that, until such time as the relevant legislation is amended, the Council is unable to advise the Panel on which parts of PC120 the Council may withdraw or amend, and whether any part of PC120, as notified, could proceed to hearings.
- 1.3 While the Panel acknowledges that point, the Panel has a very short time period available for hearing submissions and making recommendations on PC120. The Panel is also conscious that the PC120 natural hazard rules took immediate legal effect on notification.
- 1.4 The Panel is of the preliminary view that it is likely that some aspects of PC120 are not directly affected by the matters raised in the Minister's announcement and could proceed to alternative dispute resolution (**ADR**) and/or to a hearing in advance of or in parallel with the legislative amendments.

¹ NZ Government. *More flexibility for Auckland housing plan* [Press release]. 19 February 2026. <https://www.beehive.govt.nz/release/more-flexibility-auckland-housing-plan>

² Memorandum of counsel on behalf of Auckland Council in response to Hearing Direction 3 from the Independent Hearings Panel dated 27 February 2026. 20 March 2026. [Memorandum \(20 March 2026\) of counsel of Auckland Council in relation to Direction 3 dated 27 February 2026](#)

2. Information sought from Council

- 2.1 The Council is **directed** to address whether any of the following or any other aspects of PC120 could progress to ADR and/or to a hearing:
- i. All Resilience aspects of PC120.
 - ii. If not all Resilience aspects, specific aspects (for example, the Regional Policy Statement content, matters of methodology, and definitions).
 - iii. Intensification aspects of PC120 relating to matters of principle rather than spatial distribution of intensification (for example, the methodology for identifying walkable catchments and special character).
- 2.2 If the Council considers that it is not appropriate for any of the above or other aspects of PC120 to proceed to ADR and/or to hearing in advance of or in parallel with the legislative amendments being made, the Council should explain the reasons for its view (including the relationship of that particular aspect to the matters raised in the Minister’s announcement and the Council’s response to the Minister).
- 2.3 The inability to commence or at least schedule hearings in the near term may significantly affect the Panel’s ability to deliver recommendations before the Council’s statutory report back date, given the Panel’s overriding responsibility to ensure a fair process. There is also a real risk that there will be insufficient time for the Panel to accommodate ADR opportunities if matters are not identified and scheduled early.

3. Timeframe for Council’s response to this direction

- 3.1 The Panel **directs** the Council to provide a response to the matters raised in Section 2 in writing by **noon, Friday, 10 April 2026**.

4. Next Steps

- 4.1 Following receipt of Council’s response, the Panel intends to invite submitters to respond to the Council’s position and propose matters that submitters consider could be scheduled for ADR and/or for hearing in advance of or in parallel with the legislative amendments being made.
- 4.2 The Panel will review all responses received to determine how the hearings and ADR programme should proceed. Any resulting schedule of ADR and/or hearings will be prepared by the Panel in draft and the Council and submitters will be given a further opportunity to provide feedback on the draft schedule.

4.3 Any enquiries regarding this direction, or related matters, should be addressed to the Secretariat of the Independent Hearings Panel at pc120hearings@aucklandcouncil.govt.nz.



Sarah Shaw

Chair

Independent Hearings Panel – PC120

Date: 27 March 2026