

## **Before the Independent Hearings Panel**

**In the matter** of the Resource Management Act 1991

**And**

**In the matter** of Plan Change 120: Housing Intensification and Resilience to the Auckland Unitary Plan Operative in Part (**AUP**)

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**Memorandum of counsel on behalf of Auckland Council providing recent correspondence from the Minister Responsible for RMA Reform and Minister of Conservation to the Independent Hearings Panel**

**Date: 8 May 2026**

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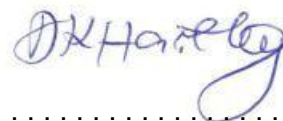
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**MAY IT PLEASE THE PANEL**

**Introduction**

- 1 As the Independent Hearings Panel (**Panel**) is aware, we act for Auckland Council (**Council**) in relation to Plan Change 120: Housing Intensification and Resilience (**PC120**) to the Auckland Unitary Plan Operative in part (**AUP**).
  
- 2 The purpose of this memorandum is to provide to the Panel a copy of the letter the Council has received from the Minister Responsible for RMA Reform, Hon Chris Bishop and the Minister of Conservation, Hon Tama Potaka (**Ministers**) on 30 April 2026. The Ministers' letter attached an amended direction to the Council to use the Streamlined Planning Process (**SPP**) for PC120 as required by Clause 77A of Schedule 1 of the RMA. The Ministers' letter advises that the statement of expectations in the principal direction continues to apply.
  
- 3 A copy of the Ministers' letter and the Gazette Notice amending the direction to use the SPP for PC120 is attached to this memorandum of counsel.

**Date:** 8 May 2026



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D K Hartley / A F Buchanan  
Counsel for Auckland Council

# Hon Chris Bishop

Attorney General  
Minister of Housing  
Minister for Infrastructure  
Minister Responsible for RMA Reform  
Minister of Transport  
Associate Minister of Finance



30 April 2026

CB-COR2851

Wayne Brown  
Mayor  
Auckland Council  
*Mayor.wayne.brown@aucklandcouncil.govt.nz*

Phil Wilson  
Chief Executive  
Auckland Council  
*Phil.wilson@aucklandcouncil.govt.nz*

Dear Wayne and Phil

## **Amended direction for Plan Change 120: Housing Intensification and Resilience**

On 13 April 2026 we sent you a draft amended direction for Plan Change 120 (PC120) asking for your feedback (as required by clause 76(4) of Schedule 1 of the Resource Management Act 1991). We received your officers' written feedback on 17 April 2026. We have carefully considered your officers' feedback in making our final decision on the amended direction for PC120.

Your feedback sought changes to clarify process steps and obligations. These changes have been made where we consider they support clarity and align with statutory requirements. Following this consultation step, we issue Auckland Council with the **attached** amended direction to use the SPP for PC120, as required by Clause 77A of Schedule 1 of the RMA. The statement of expectations in the principal direction continues to apply.

The reasons for our amended direction are:

- The process set out in the direction will achieve an expeditious planning process that is proportionate to the complexity and significance of the planning issue.
- The process set out in the direction complies with the statutory process requirements for PC120.

The amended direction will take effect from the day after Gazettal.

Please feel free to get in touch with Ministry for the Environment and Ministry of Housing and Urban Development officials if further discussion or clarification is needed.

Yours sincerely,

Hon Chris Bishop  
**Minister Responsible for RMA Reform**

Hon Tama Potaka  
**Minister of Conservation**

# **THE RESOURCE MANAGEMENT (DIRECTION TO AUCKLAND COUNCIL TO USE THE STREAMLINED PLANNING PROCESS TO PREPARE PROPOSED PLAN CHANGE 120: HOUSING INTENSIFICATION AND RESILIENCE) AMENDMENT NOTICE 2026.**

## **Title and commencement**

1) This notice is The Resource Management (Direction to Auckland Council to Use the Streamlined Planning Process to Prepare Proposed Plan Change 120: Housing Intensification and Resilience) Amendment Notice 2026.

2) This notice comes into force on the day after gazettal.

## **Authority and status**

3) This notice is made under clause 80 of Schedule 1 of the Resource Management Act 1991 by the Minister Responsible for RMA Reform and the Minister of Conservation, acting in accordance with section 7 of the Constitution Act 1986.

## **Principal direction amended**

4) The direction titled the Resource Management (Direction to Auckland Council to Use the Streamlined Planning Process to Prepare Proposed Plan Change 120: Housing Intensification and Resilience) Notice 2025, notified in the New Zealand Gazette on 29 October 2025 (2025-sl6084), is amended only to the extent specified in this notice.

5) The procedural steps for the streamlined planning process (SPP), including the maximum total time period, are replaced by the procedural steps set out in the Schedule to this notice.

6) The provisions relating to the composition of the SPP panel are replaced by the provisions set out in the Schedule to this notice.

7) The Statement of Expectations in the principal direction continues to apply.

## **Schedule 1: Amended streamlined planning process direction for Plan Change 120**

	<b>Step</b>	<b>Timeframes</b>
1	Publicly notify Plan Change 120, in accordance with clause 5 of Schedule 1 of the RMA.  Auckland Council shall publish the information provided to the responsible Ministers under clause 75A(3) of Schedule 1 at the same time as its public notification of Plan Change 120.	No later than 3 November 2025.

- 2 Provide an opportunity for written submissions under clause 6 of Schedule 1 of the RMA. 3 November – 19 December 2025.
- 3 Auckland Council must give public notice of a summary of decisions requested in submissions made prior to commencement of this direction, in accordance with clause 7(1)(a), (b), and (2) of Schedule 1 of the RMA.
- 4 Following the opportunity for written submissions under clause 6 of Schedule 1 of the RMA in Step 2, Auckland Council must not provide an opportunity for further submissions in accordance with clauses 8 and 8A of Schedule 1 of the RMA.
- 5 Auckland Council must decide whether to propose amendments to PC120 under clause 10C of Schedule 3C of the RMA in response to the amended housing capacity requirement.
- 6 Auckland Council must give public notice of its decision whether to propose amendments to PC120 under clause 10C, in accordance with clause 10D of Schedule 3C of the RMA.
- 7 Auckland Council must provide an opportunity for written submissions under clause 10E of Schedule 3C of the RMA.
- 8 Auckland Council must give public notice of a summary of decisions requested in submissions made under clause 10E of Schedule 3C of the RMA, in accordance with clause 7(1)(a), (b), and (2) of Schedule 1 of the RMA.
- 9 Following the opportunity for written submissions under clause 10E of Schedule 3C of the RMA in Step 7, Auckland Council must not provide any opportunity for further submissions in accordance with clauses 8 and 8A of Schedule 1 of the RMA.
- 10 Auckland Council to undertake a further evaluation under section 32AA of the RMA in respect to obligations identified in iwi participation legislation.

- 11 The SPP panel may undertake resolution of disputes in accordance with clause 8AA of Schedule 1 of the RMA.
- 12 The SPP panel shall conduct public hearings under clause 8B of Schedule 1 of the RMA (to the extent applicable under this direction). The SPP panel may permit cross-examination.
- 13 SPP panel to prepare a report(s) showing how submissions and evidence presented at the hearing have been considered and the changes (if any) recommended to PC120.
- The report(s) must state how the SPP panel has had particular regard to the statement of expectations in this direction.
- 14 SPP panel to prepare evaluation report(s) on PC120 under section 32AA, as may be relevant for any proposed changes to PC120 in its recommendations. The report(s) may be prepared as part of the SPP panel's reports at Step 13, if relevant.
- Auckland Council to prepare evaluation report(s) on PC120 under section 32AA, as may be relevant if the Council rejects any SPP panel recommendations and decides alternative solutions under clause 86 of Schedule 1 of the RMA.
- Decision makers must give particular regard to section 32 or 32AA report(s).
- 15 Auckland Council must consider and decide on the recommendations of the SPP panel on PC120, in accordance with clause 86 of Schedule 1 of the RMA.
- 16 Auckland Council must publicly notify its decisions on the SPP panel recommendations in accordance with clause 86 of Schedule 1 of the RMA.

The maximum total time period within which Steps 1–16 of the streamlined planning process for the proposed Plan Change 120 to the Auckland Unitary Plan must be completed is 20 months after the direction notice was gazetted on 29 October 2025. The process is complete when Auckland Council gives public notice of its decisions on Plan Change 120: Housing Intensification and Resilience in accordance with clause 86(5) of Schedule 1 of the RMA.

In accordance with clause 78(4B) of Schedule 1 of the RMA, the Minister Responsible for RMA Reform and the Minister of Conservation direct that the SPP panel convened to hear submissions must include no fewer than eight members and no more than nine members.

In accordance with clauses 78(4B) and 78(4C) of Schedule 1 of the RMA, the Minister Responsible for RMA Reform and Minister of Conservation will appoint four members of the SPP panel.

Dated at Wellington this 30<sup>th</sup> day of April 2026.



Hon CHRIS BISHOP  
Minister Responsible for RMA Reform



Hon TAMA POTAKA  
Minister of Conservation.