

MATTHEW CASEY

KING'S COUNSEL

Thursday 11 September 2025

Phil Wilson
Chief Executive
Auckland Council

CC: Megan Tyler, Director Policy, Planning and Governance
John Duguid, General Manager Planning and Resource Consents

On behalf of the Independent Hearing Panel appointed by Auckland Council to make recommendations on Plan Change 78: Intensification (**PC78**), I am pleased to present our Recommendation Report for the Business – Metropolitan Centre Zones, and relevant Precincts and qualifying matters of the Auckland Unitary Plan Operative in Part (**AUP**).

Policy 3(b) of the NPS-UD applies to metropolitan centre zones of tier 1 urban environments which in Auckland's case is the Business – Metropolitan Centre Zone, including relevant Precincts within that Zone. The Panel has accordingly separated out for inclusion in this Report only matters relating to the enabling (through PC78) of the building heights and urban form required by Policy 3(b), including as to qualifying matters provided for by Policy 4, in accordance with provisions incorporated into the Resource Management Act 1991 by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

We have included as Appendix 2 the proposed modifications to the relevant PC 78 (as notified) provisions to incorporate the changes recommended in our Report. For the avoidance of doubt, we have not included provisions that we have not recommended to be modified. Against the possibility that we have not carried across all of our recommendations, or of other errors, the recommendations in our Report are to take precedence.

The Panel awaits with interest the Council's decision on whether it will withdraw PC78 and proceed with a replacement plan change. The Panel has placed the remaining PC78 topics on hold until that decision is made.

If you require any other information or clarification at this stage or to enable the Council to make its decisions on this part of PC78, please contact the Panel through Sam Otter, Senior Hearings Advisor (sam.otter@aucklandcouncil.govt.nz).

Yours sincerely,



Matthew Casey, KC

Chair, Independent Hearing Panel – Plan Change 78