

IN THE MATTER of the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER **Intensification Planning Instrument (IPI) – Plan Change 78**

MINUTE (13 APRIL 2023) FROM THE INDEPENDENT HEARING PANEL - ADDRESSING

MINISTER FOR THE ENVIRONMENT GRANTING THE COUNCIL'S REQUEST FOR A 12-MONTH EXTENSION TO THE TIME FOR MAKING A DECISION ON PC78 SO THAT THE COUNCIL CAN UNDERTAKE NATURAL HAZARDS AND FLOODING INVESTIGATIONS WORK AND FORMULATE A PLANNING RESPONSE.

1. In accordance with Resource Management Act 1991 (RMA) - Part 6 Clause 96 of the First Schedule and sections 34 and 34A, the Auckland Council (the Council) has appointed an Independent Hearing Panel (IHP). The IHP has been delegated to hear submissions and make recommendations to the Council on the IPI plan changes and decisions on the non IPI plan changes.

2. The IHP has received the attached correspondence from the Council¹ stating:

Please find attached a copy of the letter received from the Minister for the Environment granting the Council's request for a 12-month extension to the time for making a decision on PC78 so that the Council can undertake natural hazards and flooding investigations work and formulate a planning response.

3. The IHP will now need to consider the implications of the 12-month extension granted by the Minister in terms of the hearing process and schedule already established. Once the IHP has met, we will inform the parties of any decisions or processes to be undertaken.

4. Any enquiries regarding this Minute, or related matters, should be directed to the Senior Hearing Advisor, Mr Sam Otter by email at npsudhearings@aucklandcouncil.govt.nz



Greg Hill Chairperson

13 April 2023

¹ Dated 12 April 2023

Hon David Parker BCom, LLB

Attorney-General
Minister for the Environment
Minister of Revenue
Associate Minister of Finance



6 April 2023

CORM-1375

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Dear Councillor Dalton

Extension of time request: for Auckland Council to publicly notify decisions on the Independent Hearings Panel's recommendations on the Council's intensification planning instrument

Thank you for your letter of 17 March 2023 requesting an amendment to The Resource Management (Direction for the Intensification Streamlined Planning Process to Auckland Council) Notice 2022 to give Auckland Council an extra year to complete the intensification streamlined planning process (ISPP).

I acknowledge that Auckland Council is facing a number of challenges following the significant flooding and landslides caused by extreme weather during Auckland Anniversary weekend and Cyclone Gabrielle. I understand why, in these circumstances, a further year is needed.

I note that this extension is to enable staff to investigate flooding impacts and its implications for land-use planning, infrastructure and other policy settings. I expect this scope to include a review of the Council's approach to intensification in non-floodable areas, and the development of blue green corridors in flood-prone areas. Taking a water sensitive design ('sponge city') approach to urban development will enable better management of local and catchment wide flood risk, whilst having many positive health and environmental benefits in the form of recreation spaces, improved water quality, and increased biodiversity.

I would encourage the Council to consider the findings of the Parliamentary Commissioner for the Environment in his report titled '*Are we building harder, hotter cities? The vital importance of urban green spaces*'. I concur with the concerns raised about the amount and quality of reserve and open spaces being provided in both existing urban areas and greenfield developments.

More integrated planning approaches such as masterplanning (or 'structure planning') could guide development and protection of these areas to ensure more certain development outcomes that integrate reserves, housing, walking and cycling provision, network infrastructure and other urban development. This would occur alongside funding tools such as development contributions for the upfront provision of the blue green network, and required flood defence and other mitigation measures.

The Council should also consider using stronger Auckland Unitary Plan (AUP) controls to prevent large impermeable areas such as driveways, carpads and terraces in new and existing sites. These controls should be used alongside non-regulatory measures to encourage increased site permeability through private and community-based re-vegetation schemes.

The Government is committed to both improving housing affordability and ensuring our cities are resilient. I note that implementation of the National Policy Statement on Urban Development 2020 and the Medium Density Residential Standards is still at an early stage, and so it is very unlikely that development enabled by these instruments had any effect on the floods. However, we can point to some excellent examples of recent development at density by Kāinga Ora where well designed and specified stormwater infrastructure performed well through the recent severe weather events.

There are opportunities for urban development patterns to achieve multiple outcomes. Enabling higher levels of intensification in resilient areas places less pressure on hazard prone areas, allowing these areas to function as accessible green and natural spaces for the community.

Therefore, I expect that any extra time Auckland Council takes to complete the ISPP will also be used to prioritise planning decisions that improve housing affordability. This will enable more people to live and work in areas close to centres and public transport, and where density is supported by appropriate stormwater infrastructure to ensure communities are safe and resilient to the impacts of climate change.

I understand that Government officials have been working with Auckland Council staff to enable the Council to implement the intensification provisions in the Auckland Light Rail Corridor area. My expectation is that the planned variation to Plan Change 78 will be a comprehensive variation that will support the urban development outcomes that the Crown and Council are seeking to deliver through investment in Auckland Light Rail, and that this will proceed within the same timeframes as the substantive plan change. My approval to extend the timeframe should ensure this is possible.

As improving housing affordability and resilience are both critical issues for the Government and for Auckland, I am granting the Council the time extension requested. My officials will liaise with you as to any further clarification that may be desirable.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Parker', is positioned above the typed name.

Hon David Parker
Minister for the Environment