

## **Before the Independent Hearings Panel**

**In the matter** of the Resource Management Act 1991 (**RMA**)

**And**

**In the matter** of Proposed Plan Change 78: Intensification to the  
Auckland Unitary Plan Operative in Part (**AUP**)

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**Memorandum of counsel for Auckland Council in response to Hearing  
Panel direction of 5 July 2023 regarding pause request**

**Date: 1 August 2023**

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## MAY IT PLEASE THE PANEL

### Introduction

- 1 This memorandum of counsel for Auckland Council (**Council**) responds to the direction of the Independent Hearings Panel (**IHP**) of 5 July 2023 to report back to the IHP no later than 1 August 2023 on the Council's scope of and work programme for two variations to Proposed Plan Change 78: Intensification (relating to natural hazards and the Auckland Light Rail Corridor (**ALRC**)).<sup>1</sup>
  
- 2 The IHP's direction follows an earlier direction dated 19 May 2023 that the Council report back to the IHP by no later than 4 July on the following:
  - 2.1 The progress in establishing and agreeing the scope of the two variations (relating to natural hazards and the ALRC);
  - 2.2 The work the Council has already undertaken on the variations;
  - 2.3 The work still to be completed on the variations and their timeframes; and
  - 2.4 The likely notification dates of the variations.
  
- 3 The purpose of this memorandum is to update the IHP as directed following the Governing Body meeting on 27 July 2023 regarding the Council's progress in advancing the variations.

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<sup>1</sup> Direction (5 July 2023) from the IHP at [6].

## **Progress in establishing and agreeing the scope of the two variations**

- 4 In relation to the progress the Council has made in establishing and agreeing the scope of variations to PC78 relating to natural hazards and the ALRC, counsel for the Council are advised that work is progressing in respect of the ambit and content of the variations.

## **Work programme for the variations**

### Work undertaken

- 5 Counsel for the Council are advised in relation to work undertaken for the natural hazards variation since 4 July 2023 that:
- 5.1 A paper relating to public consultation for the 'Making Space for Water' programme was reported to the Governing Body at its 27 July 2023 meeting. The paper contains public engagement materials, timeframes and communication channels for engagement all commencing on 3 August 2023. Whilst directly for the purpose of informing the development of the Tamaki Makaurau Recovery Plan and Making Space for Water, the public consultation will also assist with the progression of natural hazard changes to the Auckland Unitary Plan. Resolution number GB/2023/138 approved the implementation of this public consultation programme.
- 5.2 Since 4 July 2023 council officers have completed corrections to rapid building assessment placard data to enable GIS analytics to begin to be run. These corrections have been to ensure that all placard<sup>2</sup> data is

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<sup>2</sup> Following a rapid building assessment, a property will receive either a white (no access restrictions), yellow (access restricted), or red placard (access prohibited).

spatially accurate to the land or structure affected. GIS analytics now being run enable a more detailed review of consented developments under the AUP that in turn were the subject of placards. Additionally underway is detailed project planning and the design of a draft natural hazards engagement plan specifically for changes to the AUP.

- 6 In respect of work undertaken by the Council regarding the ALRC since 4 July 2023, we are advised that the Council is progressing work on the extent of walkable catchments under Policy 3(c) of the National Policy Statement on Urban Development 2020 and on some land use scenarios for different proposed station locations.

Work still to be completed

- 7 Counsel for the Council are advised in relation to work still to be completed and likely timeframes that:

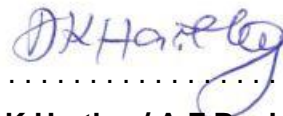
7.1 In terms of natural hazards a Planning, Environment and Parks (**PEP**) Committee workshop is being scheduled for 30 August in order to workshop the content of the draft natural hazards engagement plan specifically for changes to the AUP.

7.2 In terms of a variation for the ALRC, workshops are also scheduled with the PEP Committee at the end of August to update them on the project and to discuss possible land use scenarios around some of the proposed station locations. Iwi engagement on the ALRC variation is planned to start in late August 2023.

7.3 The indicative programme timeline for preparing and notifying a variation to PC78 for the ALRC was set out at paragraph 6.5 of the Council's memorandum dated 4 July 2023.

7.4 This timeline was predicated on the lodgement of the Notices of Requirement for the light rail route and stations in August 2023. The Council now understands that the Notices of Requirement may not be lodged in August and the Council will need to consider how this might impact on the project timeline.

**Date:** 1 August 2023



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Proposed Plan Change 78