

In Confidence

Office of the Minister Responsible for RMA Reform and Minister of Housing

Cabinet

Resource Management (Auckland Housing) Amendment Bill: Approval for Introduction

Proposal

- 1 This paper seeks approval to introduce the Resource Management (Auckland Housing) Amendment Bill (the Bill).

Policy

- 2 On 16 February 2026, Cabinet agreed to:
 - 2.1 amend the Resource Management Act 1991 (RMA) to reduce the amount of housing capacity that Auckland Council needs to enable as part of its Plan Change 120 (PC120) from at least the equivalent of its previous Plan Change 78 (PC78) (just over 2 million dwellings) to at least 1.6 million dwellings; and
 - 2.2 address a transitional issue that arose when Auckland Council removed the Medium Density Residential Standards (MDRS)
- 3 Cabinet also noted that I would request a summary of the provisional zoning changes reflecting the revised housing capacity target from Auckland Council for Cabinet to consider before taking final decisions on legislation (CAB-26-MIN-0037).

Auckland Council has provided information on how it intends to respond to the revised capacity requirement

- 4 Following my request (see Appendix 2), the Mayor of Auckland has provided information on how Auckland Council intends to respond to the increased flexibility arising from a lower minimum housing capacity requirement. This includes a set of principles to guide its work to arrive at revised provisions and maps for PC120. The principles were agreed at Auckland Council's Policy, Planning and Development Committee on 10 March 2026 (see Appendix 3) and include:
 - 4.1 Retaining: down-zoning for natural hazards; the use of qualifying matters (these are used to limit upzoning for reasons such as protecting special character and volcanic viewshafts); and mandatory intensification in the walkable catchments of metropolitan centres and rapid transit stations, including stations that benefit from investment in the City Rail Link.
 - 4.2 Decreasing housing capacity: using a distance of more than ten kilometres from the city centre as a starting point; by reassessing the intensification along

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corridors starting with the lower ranked bus corridors; and decreasing the amount of Mixed Housing Urban zoned land (ie, land zoned for three storey development) in areas which do not have good access to public transport or the city centre.

- 5 Auckland Council staff were clear in the committee meeting that these principles are intended to guide, rather than limit, the council's approach. While areas beyond the 10-kilometre radius are proposed as a starting point for capacity reductions, this does not preclude reductions in other locations such as on the isthmus – particularly where access to public transport or the city centre is limited.
- 6 This is Auckland Council's plan. It will develop detailed provisions and zoning maps in response to the revised capacity requirement through workshops with local boards and councillors (which Council officers advise will be open to the public), and engagement with iwi. This will include working through how it will apply the principles, such as identifying which Mixed Housing Urban-zoned areas will have capacity reduced as they have poor access to public transport or the city centre.
- 7 Appendix 4 includes illustrative information prepared by my officials to demonstrate the potential application of these principles. This information is intended to be indicative only. It shows:
 - 7.1 The central parts of the isthmus (stretching from Avondale to Kohimarama) and Northcote and Birkenhead on the North Shore are inside a 10km radius of the city centre, while most of the North Shore and West, South and East Auckland fall outside this area.
 - 7.2 While it is not clear how many bus routes might be reassessed, reducing capacity along those ranked in the lowest third would remove small amounts of capacity in South and East Auckland (including Howick and Botany), the North Shore (including Northcote, Takapuna, and Birkenhead) and Saint Marys Bay.
 - 7.3 There are a significant number of qualifying matters applied in PC120 that would be retained, including:
 - 7.3.1 the special character qualifying matter that limits development in areas such as Devonport, Northcote Point, Herne Bay, Ponsonby, Kingsland, Mount Eden, Epsom, Parnell, and Remuera
 - 7.3.2 the viewshaft qualifying matter that limits development in areas such as Parnell, Remuera, Epsom, Mount Eden, Mount Albert and Panmure
 - 7.3.3 the infrastructure wastewater qualifying matter that also limits intensification in the isthmus.
- 8 Auckland Council officers have advised the Council is more likely to amend PC120 provisions than withdraw parts of the plan. This reflects the difficulty of withdrawing intensification provisions in many suburbs without also affecting provisions that

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manage natural hazard risk. I understand that a significant number of the 10,500 submissions on PC120 relate to natural hazards

- 9 Once the legislation has passed, Auckland Council will work through the legislated process steps to develop detailed provisions and zoning maps. This reflects the standard approach whereby central government sets the overall framework and councils develop the detailed planning content. The public will have visibility of the proposed provisions and maps when they are discussed at local board and council workshops (which I expect to start shortly after the legislation passes), and it may take a few months for Auckland Council to develop and agree its preferred plan provisions and maps through this process.

The Bill implements Cabinet decisions to reduce minimum capacity requirements for PC120

- 10 The Bill (attached in Appendix 1) gives effect to Cabinet’s decisions to:
- 10.1 require Auckland Council to provide for a minimum housing capacity of 23% less than Plan Change 78 (as notified), representing approximately 1.6 million homes
 - 10.2 prevent Auckland Council from progressing a variation to give effect to the changed minimum housing capacity requirement (the intention being that Council would follow a bespoke process rather than the standard approach to varying an RMA plan change).
 - 10.3 set out key steps in the process which Auckland Council and the hearings panel for Plan Change 120 must follow in response to the changed capacity requirement, to ensure there are opportunities for public input in light of the changed housing capacity requirement.
 - 10.4 ensure that any additional housing capacity enabled in Auckland’s city centre contributes towards the housing capacity target (CAB-26-MIN-0037).

The process in the Bill will provide an opportunity for further public input

- 11 There has been a high level of public interest in PC120, with over 10,500 submissions received. Aucklanders have been clear that they want housing growth – in the right places and where infrastructure can support it. This legislative amendment is intended to provide Auckland Council with more flexibility about where density goes.
- 12 I expect significant public interest in the Bill and in the subsequent changes to PC120. The Bill makes changes to the legislative framework while the plan change process is underway, which creates complexity. However, I consider that the benefits of this change – providing more flexibility for Auckland Council to respond to the concerns raised in submissions – outweigh the downsides of doing so.
- 13 I have taken delegated decisions on the process steps for PC120, which are illustrated in Appendix 5. Key process steps included in the Bill are:

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- 13.1 Auckland Council must determine what amendments (if any) it proposes to PC120, and make those changes publicly available (these amendments would be in the form of revised provisions and maps)
- 13.2 Auckland Council will need to provide 20 working days for previous submitters to amend their submissions or for new people to make submissions. If original submitters do not amend their submissions, their submission remains valid and they do not need to do anything more.
- 14 These decisions have been informed by engagement with Auckland Council officers and are designed to provide a more streamlined approach than the indicative process previously provided to Cabinet. This process also has the benefit of making maps and detailed provisions available earlier than initially planned, providing greater certainty for potential submitters sooner.

I seek a further decision to exempt Auckland Council from two technical NPS-UD requirements to reduce cost and duplication

- 15 Cabinet previously noted that Auckland Council would still be required to comply with the National Policy Statement on Urban Development (NPS-UD). I seek agreement to exempt Auckland Council from two technical NPS-UD requirements that cannot be meaningfully met given the timing of this legislative change:
- 15.1 preparing a Housing and Business Development Capacity Assessment (HBA), which provides information on the demand and supply of housing and business land; and
- 15.2 reviewing whether Auckland's Future Development Strategy (FDS), which identifies broad locations of future development capacity and infrastructure, needs to be updated, including consultation with developers and landowners.
- 16 These requirements are intended to inform the 2027 Long Term Plan (LTP). To meet the HBA requirement Auckland Council would need to model PC120 as notified. As the Bill is likely to materially change PC120, this modelling would be inaccurate, costly and potentially confusing for the public once released. The HBA also informs whether the FDS should be reviewed, and consulting on an FDS update at a similar time to re-opened PC120 submissions would also be poorly timed.
- 17 Auckland Council will continue to comply with all other NPS-UD requirements, and the LTP will still need to meet Local Government Act requirements. Auckland Council will still be required to undertake capacity modelling as part of making final decisions on PC120. This exemption will apply only to the 2027 LTP.

The Bill gives effect to Cabinet's intent

- 18 When drafting the Bill, officials identified some ways to give effect to the intent of Cabinet's decisions, but improve the way that the Bill does this.
- 19 First, to respond to Cabinet's decision that Auckland Council should not progress a variation to respond to the legislative change, the Bill establishes a bespoke process that Auckland Council must follow, instead of using the usual RMA process for

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making a variation to a plan. The way this is provided for means that Auckland Council can still progress a variation for another matter relating to PC120 if needed. To do this, it can apply to me and the Minister of Conservation to change our Direction for PC120. This approach delivers what Cabinet intended, while keeping flexibility for the future.

- 20 Second, Cabinet also agreed that the revised minimum housing capacity requirement for PC120 should apply retrospectively, so the independent hearings panel and Auckland Council would not need to revisit completed steps (CAB-26-MIN-0037). When drafting the Bill, officials found a way to do this without using retrospective provisions. Instead, the Bill requires the final decisions on PC120 to meet the new revised capacity requirement. It allows submissions already made to be considered, and confirms the validity of actions already taken. While these changes affect a process that has already commenced, they are not retrospective. This approach gives effect to Cabinet's intent while avoiding the risks associated with retrospective legislation.
- 21 Third, the Bill addresses a transitional issue that arose when Auckland Council withdrew Plan Change 78, which resulted in removing the MDRS. I initially agreed that this issue should be addressed through regulations made under section 360I of the RMA, and officials began working with Auckland Council on that basis to identify how the AUP could be amended, subject to the statutory tests being met.
- 22 Cabinet subsequently agreed that addressing this issue by using this Bill to amend the AUP would be a quicker and simpler solution (CAB-26-MIN-0037). In progressing the Bill, officials drew on the work already undertaken on the regulation-making power to inform the legislative change. As drafting progressed, it became clear that placing a transitional provision directly in the RMA, rather than amending the AUP, would be simpler, more flexible, and easier to administer, particularly if additional affected property owners are identified in future. This approach delivers Cabinet's intent to address the MDRS transitional issue in a clear and durable way.

Impact analysis

- 23 A Regulatory Impact Statement (RIS) was prepared in accordance with the necessary requirements, and was submitted when I sought Cabinet committee approval of the policies relating to the Bill (CAB-26-MIN-0037).
- 24 In relation to the proposed temporary exemption from HBA and FDS requirements, the Ministry for Regulation has determined that the proposal is exempt from the requirement to provide a Regulatory Impact Statement on the grounds that the economic, social or environmental impacts are limited and easy to assess.

Compliance

- 25 The Bill complies with:
- 25.1 The principles of the Treaty of Waitangi.
- 25.2 The rights and freedoms contained in the Human Rights Act 1993.

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- 25.3 The disclosure statement requirements. A disclosure statement has been prepared and is attached to the paper.
- 25.4 The principles and guidelines set out in the Privacy Act 2020.
- 25.5 Relevant international standards and obligations.
- 25.6 The Legislation Guidelines (2021 edition), which are maintained by the LDAC.
- 26 A Bill of Rights vet of the Bill is in progress.

Consultation

- 27 The following departments were consulted: Parliamentary Counsel Office, The Treasury, New Zealand Infrastructure Commission, the Ministry of Business, Innovation and Employment, the Department of Internal Affairs, the Ministry of Transport, the Ministry for Regulation, Te Puni Kōkiri, and the Department of Conservation. The Department of Prime Minister and Cabinet was informed.
- 28 As stated above, I wrote to the Mayor of Auckland and requested information about how Auckland Council intends to exercise the flexibility provided by the change in the capacity requirement. Auckland Council discussed an approach at a Planning, Policy and Development Committee meeting and provided the response shown in Appendix 2.
- 29 My officials have engaged with Auckland Council officers on process and procedural steps to be included in the legislation for PC120 and legislative amendments to address the transitional issue associated with removal of the MDRS. An exposure draft of the Bill was also shared with a small number of named individual officers at Auckland Council to test workability.

Binding on the Crown

- 30 The Resource Management Act is binding on the Crown. The Bill does not propose to change this.

Creating new agencies or amending law relating to existing agencies.

- 31 The Bill does not create any new agencies.

Allocation of decision-making powers

- 32 The Bill does not involve the allocation of decision-making powers.

Associated regulations

- 33 Regulations will not be needed to bring the Bill into operation.

Other instruments

- 34 The Bill does not include any provisions empowering the making of other instruments that are deemed to be legislative instruments or disallowable instruments (or both).
- 35 While other instruments are not needed to bring the Bill into operation, I intend to work with the Minister of Conservation to update our Direction for PC120, once the Bill has passed. The Minister's direction is secondary legislation that sets out a statement of expectations and timeframes for PC120. I intend to update it to include a small number of detailed process steps designed to work with the high-level process steps in the Bill – including clarifying that Auckland Council should not provide for the formal 'further submissions' process that is usually a feature of plan changes.

Definition of Minister/department

- 36 The Bill does not contain a definition of Minister, department (or equivalent government agency), or chief executive of a department (or equivalent position).

Commencement of legislation

- 37 The Bill comes into force on the day after Royal assent.

Parliamentary stages

- 38 Given the need to provide certainty to Aucklanders about the requirements and process for PC120, I propose that the Bill be introduced and progressed through all stages of the House under urgency, as soon as possible. I do not propose that the Bill is referred to a select committee.

Proactive Release

- 39 I propose to proactively release this paper, the policy paper, and related minutes following introduction of the Bill

Recommendations

I recommend that Cabinet:

- 1 **note** that the Resource Management (Auckland Housing) Amendment Bill holds a category 3 priority rating on the 2026 Legislation Programme (to be passed before the 2026 General Election).
- 2 **note** that the Bill will amend the Resource Management Act 1991 to:
 - 2.1 require Auckland Council to provide for a minimum capacity of 23% less than Plan Change 78 (as notified), representing approximately 1.6 million homes.
 - 2.2 set out key steps in the process which Auckland Council and the hearings panel for Plan Change 120 must follow in response to the changed capacity requirement, to ensure there are opportunities for public input in light of the changed housing capacity requirement.

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- 2.3 ensure that any additional housing capacity enabled in Auckland's city centre contributes towards the housing capacity target.
- 3 **agree** to include an amendment to the Resource Management Act 1991 in the Bill that exempts Auckland Council from the requirements in the National Policy Statement on Urban Development to prepare a Housing and Business Development Capacity Assessment, and to review its Future Development Strategy, to inform its 2027 Long Term Plan.
- 4 **note** Cabinet previously agreed the legislation would amend the Auckland Unitary Plan to fix the transitional issue that arose with the withdrawal of the Medium Density Residential Standards in Auckland, to permit building projects relying on the Medium Density Residential Standards activity rules, where a building or resource consent process was started prior to the withdrawal of Plan Change 78.
- 5 **agree** to fix the transitional issue referred to in recommendation 3 by amending the Resource Management Act 1991 rather than by amending the Auckland Unitary Plan.
- 6 **approve** the Resource Management (Auckland Housing) Amendment Bill for introduction, subject to the final approval of the government caucus and sufficient support in the House of Representatives.
- 7 **agree** that the Bill be introduced under urgency as soon as possible.
- 8 **agree** that the Bill is not referred to a select committee.
- 9 **agree** that the government propose that the Bill be enacted under urgency as soon as possible after introduction.

Authorised for lodgement

Hon Chris Bishop

Minister Responsible for RMA Reform
Minister of Housing

Hon Chris Bishop

Minister of Housing
Minister for Infrastructure
Minister Responsible for RMA Reform
Minister of Transport
Leader of the House
Associate Minister of Finance
Associate Minister for Sport and Recreation



CB-COR2685

Mayor Wayne Brown
Auckland Council

24 February 2026

Dear Wayne,

Thank you for all the work that Auckland Council has undertaken at pace to date on Plan Change 120 (PC120). As you are aware, last Thursday, I announced the Government's intention to introduce amendments to the Resource Management Act 1991 (RMA) to provide Auckland Council with greater flexibility in delivering PC120 – namely by reducing the minimum housing capacity requirement from just over two million dwellings to 1.6 million dwellings, while still requiring intensification in the locations that make sense.

I realise that the backwards and forwards on updating Auckland's plan to enable greater housing growth in Auckland has been frustrating for you and your Council. As Minister for Housing and RMA Reform, I share these frustrations. However, I am confident that by working together collegially we can realise our shared aspirations for helping Auckland grow into the world-class city it can and should be.

As part of progressing these legislative amendments, I am writing to respectfully request Auckland Council provides me with information on how it intends to exercise the flexibility provided by this change in capacity requirement. This information will help inform Cabinet decisions.

It would be helpful for me and for Cabinet if this information includes:

- An outline of the approach you intend to take to reviewing densities across the city, including any principles you may use to make any changes.
- An outline of areas or suburbs that might be affected by any changes, including whether you will likely withdraw or amend the PC120 provisions, with a brief description of the purpose and nature of any likely amendments.

To minimise the disruption to the PC120 process already underway, it would be helpful to provide this information in writing by 17 March 2026.

I look forward to continuing to work constructively with Auckland Council to ensure PC120 delivers more homes in the right places, supports economic growth, and reflects the views of Aucklanders.

Kind regards,

A handwritten signature in blue ink that reads 'Chris Bishop'.

Hon Chris Bishop
Minister Responsible for RMA Reform
Minister of Housing

12 March 2026

Hon Chris Bishop
Minister Responsible for RMA Reform
Minister of Housing
Via email c.bishop@ministers.govt.nz

Dear Minister Bishop,

I am pleased to hear that you share my frustrations over the back-and-forth attempts to enable housing growth in Auckland.

Throughout this process inflicted on us by successive governments, my council colleagues and I have sought to do two things above all – follow the law and give certainty to Aucklanders. You and I share that goal. At the Policy, Planning and Development Committee meeting on 10 March, we agreed principles that will guide Auckland Council's work to meet a lower minimum housing capacity requirement in PC120.

These agreed principles are attached in **Appendix A**, providing you and your Cabinet colleagues with greater clarity about how Auckland Council will implement proposed changes.

You said in your remarks announcing these changes that PC120 is **Auckland's** plan.

You are right and I want to make sure that **Aucklanders'** views, not Wellington's, shape our plan. In particular, we want to ensure the 10,500 submissions received on PC120 are respected and that any newly-affected Aucklanders are able to have their say.

We also want to ensure that the work we do – which has already cost us over \$13 million and countless hours of staff time due to repeated changes in policy from Wellington – is not wasted and that it will feed into our Regional Spatial Plan under the new RMA system.

My council colleagues and I remain committed to running a swift and transparent process. I expect your officials to work closely with Council officers on the urgent drafting of legislation to give effect to Cabinet's latest round of changes, to avoid any further mistakes that may cause disruption. Mapping work will not take place until legislation is passed.

I was elected on a mandate to reduce central government intervention in local government and Aucklanders expect me to stand up and work constructively to get the best deal for them.

Uncertainty and further delays create unnecessary concern amongst residents and homeowners. It is costly for our development sector, driving investment away from our city and our country.

I expect Cabinet to agree legislation that enables us to stop dithering, and get on with the job Aucklanders elected us to do.

Yours sincerely,



Wayne Brown
Mayor of Auckland

Appendix A: Resolved Principles

Resolution number PPDC/2026/25

MOVED by Councillor Richard Hills, seconded by Councillor Julie Fairey:

That the Policy, Planning and Development Committee:

- a. tuhi tīpoka / note council’s understanding of the government’s intentions around Plan Change 120 – Housing Intensification and Resilience to:**
 - i. reduce the housing capacity requirement in the Auckland Unitary Plan from a minimum of 2.07 million to a minimum of 1.6 million dwellings**
 - ii. amend the Resource Management Act 1991**
 - iii. provide for some level of engagement with Aucklanders for any proposed changes**
 - iv. provide the opportunity for new submitters to join the process**
 - v. retain the intensification requirements required by Policy 3 of the National Policy Statement on Urban Development**
 - vi. retain the requirements in the Resource Management Act for intensification around the five City Rail Link stations**
 - vii. enable city centre and metro centre capacity to count towards the total capacity**
 - viii. retain the overall 20-month timeframe for the PC120 plan change process.**
- b. tuhi tīpoka / note that the Policy Planning and Development committee is yet to receive or review submissions received on PC120 and has no oversight of any themes or requests from Aucklanders**
- c. whakaae / agree the following principles that will guide options for evaluating changes to the minimum housing capacity of 1.6 million dwellings in the Auckland Unitary Plan, consistent with the government’s announcements and the letter from the Minister Responsible for Resource Management Reform dated 24 February 2026:**
 - i. retain down-zoning for natural hazards as notified**
 - ii. retain mandatory intensification provided for in the walkable catchments and the stations at Maungawhau (Mount Eden), Kingsland, Morningside, Mount Albert and Baldwin Avenue, and as required by the National Policy Statement on Urban Development.**
 - iii. retain intensification that maximises investment in the City Rail Link**
 - iv. decrease housing capacity using a distance of more than ten kilometres from the city centre as a starting point**
 - v. decrease housing capacity through reassessing the intensification along corridors, starting with the lower ranked bus corridors**

- vi. decrease in the amount of Mixed Housing Urban zoned land in areas which do not have good access to public transport or the city centre.
 - vii. retain qualifying matters as notified
 - viii. providing a buffer from the minimum 1.6 million dwellings to enable the Independent Hearings Panel some flexibility in their deliberations when making recommendations to the Council
 - ix. investigate opportunities for additional down-zoning for natural hazards.
- d. tuhi tīpoka / note the the Mayor will respond to the Minister Responsible for Resource Management Reform by 17 March 2026, consistent with the resolutions of the Policy, Planning and Development Committee.
- e. tuhi tīpoka / note that next steps will include:
- i. workshops with Policy, Planning and Development Committee and Local Board Chairs
 - ii. review of draft legislation
 - iii. preparation of amended maps once the legislation has passed;
once legislation has passed, confirmation of the available process and provision for public involvement in the process
 - iv. decision-making by the Policy, Planning and Development Committee.

CARRIED

Note: Under Standing Order 3.12.6, the following members requested their vote against the motion, be recorded:

- Councillor Christine Fletcher - clauses a. i., c. iv. and c. viii.
- Councillor John Gillon clauses c. vi. and c. viii.
- Councillor Mike Lee - clauses c. iv. and clause c. vii.
- Councillor Desley Simpson - clause c. iv.
- Councillor John Watson - clause c. vii.

Appendix 4: Illustrative information on Auckland Council’s agreed principles prepared by MfE and HUD

This information has been prepared by my officials based on best available information and is indicative only. Auckland Council may make different assumptions or use different approaches in developing its changes to the draft plan.

1. Decreasing capacity more than 10km from the city centre

Auckland Council agreed to apply a principle of decreasing housing capacity using a distance of more than ten kilometres from the city centre as a starting point. Figure 1 shows the potential implications of this principle, using a 10km road distance.

Figure 1: 10km driving distance from the city centre point



2. Decreasing capacity along lower ranked bus corridors

Auckland Council agreed to apply a principle about decreasing housing capacity through reassessing the intensification along bus corridors, starting with the lower ranked ones.

PC120 identified 24 bus corridors for upzoning using multi-criteria analysis, based on factors such as the level of demand for residential development, level of access to opportunities like jobs and schools, and bus frequency. These are listed below in order of score.

Officials looked at the lowest third of the ranking (shaded in Table 1 below) as a proxy for this principle and have mapped this to demonstrate potential outcomes. This is shown in Figure 2. Officials note Auckland Council is yet to determine what is a low-frequency bus route so it may be more or less than those routes identified by officials.

Table 1: Ranked bus corridors

#	Corridor name	#	Corridor name
1	Onehunga – Newmarket (Manukau Rd)	13	Greenlane – Western Springs (via Balmoral)
2	St Johns – Remuera – Newmarket	14	Greenlane East (Remuera Rd to Greenlane)
3	Ellerslie – Greenlane	15	Mt Eden to Sandringham Rd via Valley Rd Shops
4	Great North Road (Ponsonby to MOTAT)	16	New North Road (Morningside to Avondale)
5	St Lukes to Great North Rd (via Morningside and Kingsland)	17	Northcote – Takapuna
6	Great North Road (Pt Chev, Avondale, New Lynn)	18	Panmure – Mt Wellington – Sylvia Park
7	Panmure – Ellerslie	19	Botany to Manukau (via Ormiston)
8	Sandringham Rd (Newton to Sandringham)	20	Glenfield – Birkenhead
9	Smales Farm – Takapuna – Milford	21	Howick to Botany (via Meadowlands, Botany Rd)
10	Dominion Road (Mt Eden to Mt Roskill)	22	Papatoetoe – Ōtāhuhu – Sylvia Park
11	Mt Eden to Three Kings (Mt Eden Rd)	23	St Marys Bay to Ponsonby
12	New Lynn to Henderson	24	Verrans Corner to Onewa Road

Figure 2 Lower and higher ranked bus corridors



3. Retaining qualifying matters

In implementing the intensification policies under the National Policy Statement on Urban Development, and requirements for specific minimum heights around stations benefiting from City Rail Link investment for PC120; Auckland Council are able to modify these heights and densities to provide for a ‘qualifying matter’. In practice this may mean that plan provisions might allow two stories rather than six.

Among other things, qualifying matters include matters of national importance under the RMA (eg, matters needed to manage significant risks from natural hazards), matters required for the safe and efficient operation of nationally significant infrastructure, and “other” qualifying matters that make higher density development inappropriate, if certain requirements are met. Councils use an “other” qualifying matter to limit intensification in special character areas.

PC120 applies many qualifying matters, and Auckland Council has agreed to a principle that would retain the use of qualifying matters as notified in PC120. The maps below illustrate some of the qualifying matters that are most impactful on development capacity.

Figure 3 Special Character Area Qualifying Matter

This qualifying matter primarily changes the activity status of new buildings to restricted discretionary (meaning that resource consents would be required) and sets the height limit to eight metres (two storeys).

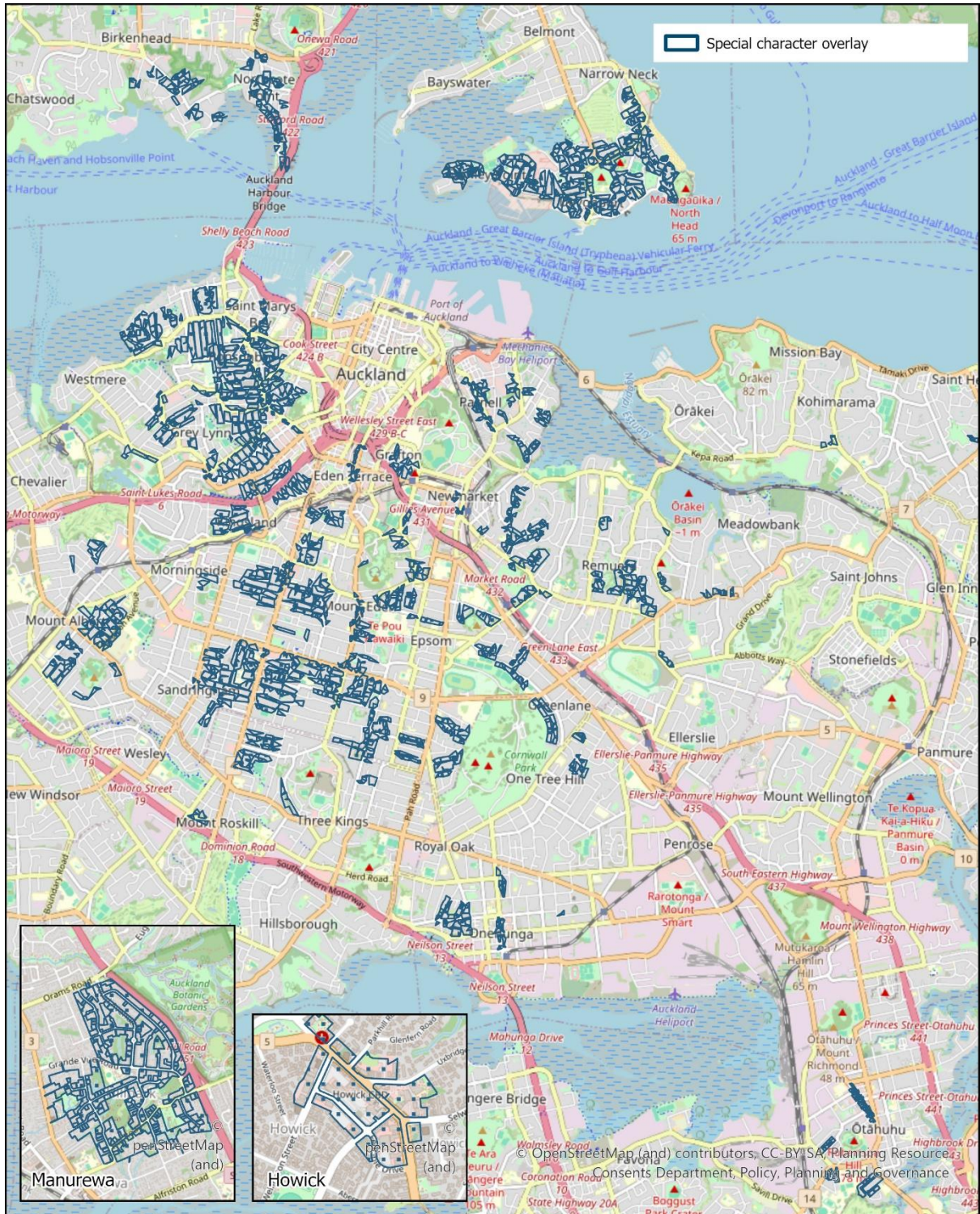


Figure 4 Volcanic Viewshaft Qualifying Matter

This qualifying matter protects views of each volcanic cone from specific viewing points. Because ground height varies, building heights are limited to different heights in different places. Buildings which breach these limits must apply for a resource consent as a restricted discretionary activity if they are under nine metres in height (meaning the council has discretion to decline resource consents on the basis of heights), or as non-complying if higher (meaning that resource consents would be difficult to obtain).



Figure 5 Infrastructure Combined Wastewater Network Control Qualifying Matter

This qualifying matter has the effect of requiring development of more than one dwelling to be assessed as a restricted discretionary activity (meaning it would require a resource consent and that infrastructure capacity would be considered as part of that process.)



Appendix 5: Process for Plan Change 120

Pre-hearing Stage

Led by Auckland Council

1. Auckland Council determines the process it uses to develop its proposed amendments to PC120, which is likely to include committee workshops, obtaining local board views and preferences, and iwi consultation. It makes a decision on its preferred position.

2. Auckland Council makes its proposed amendments publicly available on its website and notifies people via:

- A public notice
- An email or letter to submitters.

This communicates how and by when new submitters can submit and existing submitters can update their submission.

3. New submitters can make a submission and existing submitters can amend their submissions, within 20 working days. If existing submitters do not withdraw or replace their submission, their original submission remains in scope (unless it is otherwise invalid).

Hearing Stage

Led by the panel, provides for formal participation in the process

4. The formal 'further submissions' process which usually occurs in RMA plan changes is not required.

5. Council prepares a summary of decisions requested in new/replaced submissions.

6. Panel holds **formal hearings** on PC120. This is where they consider the submissions and evidence presented. Auckland Council provides evidence on each hearing topic, and as part of this, submitters and Auckland Council are able to respond to submission points raised by others. Submitters provide evidence at hearings.

Post-hearing Stage

Key steps for panel and Council (central government does not have a decision-making role)

7. Having considered submissions and evidence, the panel makes its recommendations to Auckland Council on PC120. These must meet the minimum revised capacity requirement.

8. Auckland Council considers those recommendations and makes final decisions. These must meet the revised capacity requirement.

9. Appeal rights would apply for any panel recommendations that are rejected by the Council. The same appeal rights will apply to new or amended submissions as apply to original submissions.

People will be able to see the Council's preferred approach when it is on a public agenda

This is when people provide their views

Key:

Normal RMA step

Modified or bespoke step for this process



Cabinet

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Resource Management (Auckland Housing) Amendment Bill: Approval for Introduction

Portfolios **Housing / RMA Reform**

On 30 March 2026, Cabinet:

- 1 **noted** that the Resource Management (Auckland Housing) Amendment Bill (the Bill) holds a category 3 priority on the 2026 Legislation Programme (to be passed before the 2026 General Election);
- 2 **noted** that in February 2026, Cabinet agreed to amend the Resource Management Act 1991 (RMA) to:
 - 2.1 require Auckland Council to provide for a minimum capacity of 23 percent less than Plan Change 78 (as notified), representing approximately 1.6 million homes;
 - 2.2 set out key steps in the process which Auckland Council and the hearings panel for Plan Change 120 (PC120) must follow in response to the changed capacity requirement, to ensure there are opportunities for public input in light of the changed housing capacity requirement;
 - 2.3 ensure that any additional housing capacity enabled in Auckland's city centre contributes towards the housing capacity target;

[CAB-26-MIN-0037]
- 3 **agreed** to include an amendment to the RMA in the Bill that exempts Auckland Council from the requirements in the National Policy Statement on Urban Development (NPS-UD) to prepare a Housing and Business Development Capacity Assessment, and to review its Future Development Strategy, to inform its 2027 Long Term Plan;
- 4 **noted** that in February 2026, Cabinet:
 - 4.1 noted that the withdrawal of Auckland Council's Plan Change 78 created a transitional issue for approximately 400 property owners relying on the Medium Density Residential Standards activity rules where a resource or building consent process was started prior to the withdrawal of Plan Change 78;
 - 4.2 agreed that the legislation would amend the Auckland Unitary Plan to fix this transitional issue by permitting building projects relying on the Medium Density Residential Standards activity rules where a building or resource consent process was started prior to the withdrawal of Plan Change 78;

[CAB-26-MIN-0037]

- 5 **agreed** to fix the transitional issue referred to in paragraph 4.1 above by amending the RMA rather than by amending the Auckland Unitary Plan;
- 6 **agreed** to lower the minimum capacity, as referred to in paragraph 2.1 above, to 1.4 million homes;
- 7 **noted** that officials estimate that capacity for PC120 is still likely to be around 1.6 million, once mandatory requirements under the NPS-UD and the RMA are met;
- 8 **approved** the Resource Management (Auckland Housing) Amendment Bill [PCO 28781/4.0], amended to reflect the decision in paragraph 6 above, for introduction;
- 9 **agreed** that the Bill be introduced under urgency as soon as possible;
- 10 **agreed** that the Bill not be referred to a select committee;
- 11 **agreed** that the Government propose that the Bill be enacted under urgency as soon as possible after introduction.

Rachel Hayward
Secretary of the Cabinet