



21 April 2026

26-OIAD-00414

Ed Hirsch
fyi-request-33783-xxxxxxx@xxxxxxx.xxx.org.nz

Tēnā koe Ed

Thank you for your email of 20 February 2026 requesting the following under the Official Information Act 1982 (the Act) of the Ministry for the Environment (the Ministry):

I saw minister bishop talk vaguely about 'rma legal mumbojumbo' that exclude the Auckland CBD from the wider Auckland city plan changes. I wish to understand the legal issue properly: is the CBD excluded? Why? Precision needed, not vague comments.

I would like copies under the OIA of advice and/ or information you have given to Minister Bishop (or others) on this topic.

On 18 March 2026, the Ministry extended the timeframe for its response to your request under section 15A(1)(b) of the Act, as consultations necessary to make a decision on the request were such that a proper response could not reasonably be made within the original timeframe.

We are responding to your request in two parts. The first part addresses the questions you have raised about the legal position relating to the Auckland city centre (Central Business District, CBD.) The second part identifies information in-scope of your request.

Part 1: Response to your questions on the legal position relating to the Auckland CBD

In response to your request, the Auckland city centre is excluded from Plan Change 120 (PC120).

The city centre was excluded from PC120 because planning provisions for that area had already been changed through a separate plan change process. In August 2022, Auckland Council notified Plan Change 78 (PC78) to the Auckland Unitary Plan to give effect to the National Policy Statement on Urban Development and to incorporate the mandatory Medium Density Residential Standards. In May 2025, Auckland Council made decisions on the provisions in PC78 relating to the city centre, and those provisions became operative.

Following subsequent legislative changes, in October 2025, Auckland Council withdrew the remaining, non-operative parts of PC78 and removed the Medium Density Residential Standards. The Council then notified Plan Change 120 in November 2025 to implement a revised approach that prioritised natural hazard resilience and better targeted growth.

Because the city centre provisions had already been decided and were operative, they were excluded from the PC120 process. This enables Auckland Council to focus on rezoning residential and town centre areas where decisions still need to be made.

You may also be aware the Minister Responsible for RMA Reform, Hon Chris Bishop, has since indicated an intention to initiate an investigation into Auckland Unitary Plan provisions affecting the city centre, using regulation-making powers available under the Resource Management Act 1991. This is to assess whether current planning rules are unnecessarily constraining economic growth, development capacity or employment opportunities.

Part 2: Information in-scope of your request

I have identified six documents in scope of your request, as listed in the document schedule below.

I am releasing three documents to you in part, with some information redacted as out of scope of your request, or withheld under the following sections of the Act:

- 9(2)(a) to protect the privacy of natural persons.
- 9(2)(f)(iv) to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.
- 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.
- 9(2)(h) to maintain legal professional privilege.

I am releasing one document to you as an excerpt, as provided for in section 16(1)(e) of the Act. Some information within the excerpt has been withheld under section 9(2)(a) of the Act, to protect the privacy of natural persons.

I am refusing two documents under section 18(d) of the Act, as these are expected to be proactively released on the Ministry's website, by the end of June 2026, here: [Cabinet papers and regulatory impact statements | Ministry for the Environment](#)

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the withholding of information in this request is not outweighed by other considerations that render it desirable to make the information available in the public interest.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decisions relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found at: www.ombudsman.parliament.nz.

Please note that due to the public interest in our work, the Ministry publishes responses to requests for official information shortly after the response has been sent on our website at: <https://environment.govt.nz/about-us/official-information-act-requests/>. If you have any queries about this, please feel free to contact our Ministerial Services team at: ministerials@mfe.govt.nz.

Nāku noa, nā

Electronically approved by Jessica Ranger on 21/4/2026

Jessica Ranger

General Manager – Urban and Infrastructure
Ministry for the Environment | Manatū Mō Te Taiao

Document schedule

#	Date	Title	Decision	Grounds
1.	5/6/2025	BRF-6283 - HUD2025-007187 Further advice on increasing development capacity in Auckland and options for RM Bill 2	Released in part	9(2)(a), 9(2)(g)(i), 9(2)(h), Out of scope
2.	2/2/2026	26-BRF-00207 HUD2026-009084 Draft Cabinet paper on the preferred approach to implement changes to capacity requirements to Auckland	Released in part	9(2)(a), 9(2)(h), 18(d), Out of scope
3.	10/2/2026	26-BRF-00271 HUD2026-009126 Further advice on Auckland city centre capacity and consultation process options for PC120	Released in part	9(2)(a), 9(2)(h), Out of scope
4.	11/2/2026	[Email] Re_ Notes from RMA Officials meeting today	Released as an excerpt	16(1)(e), 9(2)(a)
5.	19/2/2026	[Cabinet paper] Changes to the legislative requirements for Auckland Council's Plan Change 120	Refused in full	18(d)
6.	31/3/2026	[Cabinet paper] Resource Management (Auckland Housing) Amendment Bill – Approval for Introduction	Refused in full	18(d)