

Before the Independent Hearings Panel
Auckland Council

under: the Resource Management Act 1991

in the matter of: Plan Change 78 to the Auckland Unitary Plan -
Operative in Part

and: **Precinct Properties New Zealand Limited**
PC78 Submitter ID: 1068 and FS 189

Statement on behalf of Precinct Properties New Zealand Limited
supporting Auckland Council's request to pause Plan Change 78

Dated: 28 April 2023

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STATEMENT ON BEHALF OF PRECINCT PROPERTIES NEW ZEALAND LIMITED SUPPORTING AUCKLAND COUNCIL'S REQUEST TO PAUSE PLAN CHANGE 78

Introduction

- 1 This statement is provided on behalf of Precinct Properties New Zealand Limited (*Precinct*) in response to the Independent Hearings Panel's (the *Panel*) direction of 26 April 2023 (the *Direction*). The Direction seeks submitter comments on Auckland Council's memorandum of 21 April 2023 (the *Memorandum*), which requested a pause of all hearings and alternative dispute resolution processes on Plan Change 78 (*PC78*).
- 2 Precinct supports the Council's request as set out in the Memorandum, and considers proposal is appropriate for the following reasons:
 - 2.1 Based on the reasons set out in paragraphs 9-13 of the Memorandum, Precinct agrees that it is more efficient to defer all proceedings in relation to PC78 until the relevant flood and natural hazard modelling is complete. Once completed, the Council will be able to propose a comprehensive set of updated planning provisions in response;
 - 2.2 Conversely, if the Panel proceeds to determine particular aspects of PC78 in the immediate term, additional flow-on changes to such provisions may subsequently be required in response to the modelling results when available. This approach creates the potential for new submitters to join the process, which would in turn require additional alternative dispute resolution and/or expert conferencing processes to be conducted with new participants. This approach would create uncertainty, and lead to duplication of time, costs and resources, as the Memorandum points out;
 - 2.3 Further, deferral of the entirety of PC78 is particularly appropriate given that flood and natural hazard modelling is a technical exercise, which requires a "whole of catchment" assessment of potential risk. Precinct therefore considers that it would be artificial to determine applicable planning provisions for certain areas in isolation, without the benefit of that comprehensive analysis;
 - 2.4 Deferral of the plan change as a whole therefore allows Council officers and all submitters to: and
 - (a) better understand the complexity of potential flood and natural hazard risks;
 - (b) consider their impacts on multiple zones and areas; and
 - (c) provide for appropriate intensification opportunities across the entire catchment with the benefit of this analysis.

- 3 For the above reasons, Precinct considers it is appropriate to pause all proceedings in relation to PC78 pending completion of flood and natural hazard risk modelling.

Paula Brosnahan / Brendan Abley
28 April 2023