

**BEFORE THE AUCKLAND COUNCIL**

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

**AND**

**IN THE MATTER** of an application by the Auckland Council to produce Plan Change 78

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**MEMORANDUM ON BEHALF OF SAINT MARYS BAY ASSOCIATION**

**Dated: 1 May 2023**

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**MAY IT PLEASE THE COMMITTEE:**

1. This memorandum is filed on behalf of Saint Marys Bay Association (SMB).
2. SMB strongly agrees that PC 78 should be paused completely. SMB says that:
  - a) Clearly not all the evidence to make informed decisions is before the Panel;
  - b) It is not known what new information will be presented by the Council;
  - c) Therefore, even if it is thought a particular topic could proceed now, it may transpire that the further information, or decisions on other topics based on the further information, may require any hearing on any topic that proceeds now to be reconvened;
  - d) SMB has complained before about the “vagueness” of previous Council memoranda failing to specify what further information will be provided;

- e) SMB has also already complained that submitters have had no input into what further information should be presented by the Council;
  - f) These issues remain unresolved and heighten the risk with proceeding with any topics before the further Council information has been presented.
3. SMB have previously also advised that Panel that:
- a) Proceeding with any topic hearing in these circumstances could create barriers to further participation by resident groups who lack the financial resources to attend hearings that may be to be reconvened; and
  - b) Proceeding with ADR would similarly undermine the process, if not all information is available for discussion.

#### **Further directions**

- 4. SMB strongly submits that all submitters and the Panel would be greatly assisted with much more specificity from the Council about the nature of the further investigations being undertaken and the nature of the further information to be provided and how it would be utilised in the review of PC 78.
- 5. SMB also considers that submitters should be consulted about what matters are of direct concern to them before such work is undertaken.
- 6. Finally, SMB asks that otherwise the PC 78 process be paused until the further information is provided to the Panel (and submitters).

**DATED** 1 May 2023



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**Alan Webb**  
On behalf of Saint Marys Bay Association