



11 March 2026

Sarah Shaw
Chair, Independent Hearing Panel for PC120 to the AUP



Dear Sarah

PLAN CHANGE 120 TO THE PROPOSED AUCKLAND UNITARY PLAN – REMOVAL OF PANEL MEMBER STUART DONOVAN

1. We write on behalf of the trustees of The Rosanne Trust (“Trust”). The Trust has made comprehensive submissions on Plan Changes 78 and 120 (“PC120”) to the partly operative Auckland Unitary Plan, given the implications of both those plan changes as notified for Parnell (where the Trust owns a home) and Auckland generally. The Trust has also been closely following developments with PC120.
2. Those developments include the appointment of the Panel which you chair. Dr Stuart Donovan, Senior Fellow at Motu Research, has been appointed to that Panel by Chris Bishop, based on his expertise in spatial, urban and transport economics.
3. Dr Donovan is a known supporter of upzoning and extremely vocal in promoting that position. His views have been widely circulated in key papers as well as on social media. Indeed (and surprisingly), Dr Donovan has seen fit to continue actively expressing his views on social media, even following his appointment to the Panel.
4. The Trust accepts that all Panel members will come to their role with particular experience and views. However, as you will be acutely aware, natural justice requires that all those exercising decision-making functions do so with an open mind. Not with a position that is (or could even be perceived as) pre-determined or biased.
5. It appears that as a political appointment, the decision to select Dr Donovan as a Panel member has not been subject to the finer natural justice and independent selection principles that should have been applied when choosing someone for such a position.
6. As the sole economist on the Panel, Dr Donovan will have a key role in evaluating the competing economic evidence that will be central to determining exactly how much plan-enabled capacity should be provided for via PC120 and where it should be located. As well as considering whether providing excess development capacity will achieve more affordable housing (as the Trust understands is the ultimate intent behind PC120). Those decisions will have significant implications on the shape of Auckland and lives of Aucklanders, for generations to come.

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7. The Trust considers it is absolutely unacceptable that someone with such clear predetermination and bias, on the central issues to be resolved via something so critical as PC120, should remain on the Panel (or have ever been appointed to the Panel in the first place). As both Chair and one of two lawyers on the Panel, you have a particular responsibility to not only be alive to that issue, but ensure that its resolved swiftly and decisively.
8. Accordingly, there is no question that Dr Donovan must be removed from the Panel and that as Chair, you must take the necessary steps to ensure that occurs as soon as possible. For the avoidance of doubt, we are instructed that the Trust is prepared to take action (including through legal proceedings) to achieve that outcome, if Dr Donovan does not voluntarily resign or is not removed from the Panel, in a timely manner. We trust that will not be necessary.

Yours faithfully



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