

**PROPOSED PLAN CHANGE 120 –  
HOUSING INTENSIFICATION AND RESILIENCE**

**MINUTE 13 FROM THE INDEPENDENT HEARINGS PANEL  
(WAIVER APPLICATIONS ON CONFIDENTIALITY AND LATE SUBMISSION)**

**3 JUNE 2026**

**1. Introduction**

- 1.1 Proposed Plan Change 120 – Housing Intensification and Resilience (**PC120**) to the Auckland Unitary Plan Operative in Part (**AUP**) was notified in November 2025, and submissions closed on 19 December 2025.
- 1.2 On 12 February 2026, the Panel issued **Direction 2** to Auckland Council (**Council**), setting out the process for late submissions and the waiver process. Any submitter lodging a submission on or after 1 February 2026 was required to apply to the Panel under section 37 of the Resource Management Act 1991 (**RMA**) for a waiver of the time limit to file a submission on PC120. Under clause 98(3) of Schedule 1 and section 37 of the RMA, and for the reasons set out in section 37A of the RMA, the Panel has the authority to accept or reject any submissions lodged after the submissions closing date (**late submissions**).
- 1.3 Following that direction, the Panel issued **Minute 1** and **Minute 3** to the Council on the publication of submissions. Any submitter who sought to have their name or address for service in their submission kept confidential was to make a request to the Panel by 24 March 2026 for a waiver of the requirement to comply with the RMA.
- 1.4 On 15 April 2026, the Panel issued **Minute 7**, which notes that the Panel is unlikely to grant waivers unless exceptional circumstances exist, as doing so may impact the preparation and notification of the Summary of Decisions Requested (**SDR**) or require re-notification of the SDR, delaying the hearing programme.

## **Late Submissions**

### **2. Waiver application received**

- 2.1 On 26 March 2026, the Panel received an application from Ms Annette Daly, requesting a waiver of the time limit to file a submission on PC120, specifically addressing the hazard mapping and rezoning of 165 Tamaki Drive from “Terraced Housing and Apartment Building Zone” to “Single House Zone”. The waiver request stated that no formal notification of PC120 was received from the Council.

### **3. Matters to be taken into account**

- 3.1 Under clause 98(3) of Schedule 1 and section 37 of the RMA, and for the reasons set out in section 37A of the RMA, the Panel has the authority to accept or reject late submissions.
- 3.2 Before accepting late submissions, the Panel takes into account:
- a) The interests of any person who, in the Panel’s opinion, may be directly affected by the waiver. This includes the interests of submitters who complied with the time limits.
  - b) The interests of the community in achieving adequate assessment of PC120. Late submissions may include valuable information or perspectives that enhance the quality of the Panel's recommendations and better serve the community's interests. The RMA is also underpinned by public participation.
  - c) The Panel’s duty under section 21 of the RMA to avoid unreasonable delay. This includes whether accepting late submissions would delay the Council’s preparation and notification of the SDR, the further submission period, and the hearing programme. This is of relevance given that PC120 is a streamlined planning process, and the Ministerial direction has set a 20-month timeframe for its completion.

### **4. Response to waiver application received**

- 4.1 Regarding notification, the Panel Secretariat has checked with the Council planning team and has been informed that the property listed in the late submission waiver request was mailed a letter notifying them of PC120. Letters were sent to both the occupier and the owners, where, in some circumstances, the owner is not residing at the property.

- 4.2 The Council has now notified the SDR on 14 May 2026. However, as a result of amendments to the RMA and an amended Ministerial direction, the Council will notify its decision on any amendments to be made to PC120, and a second submission period will be open (likely in August 2026) for any new and/or amended submissions to be lodged.
- 4.3 With this in mind, the Panel has determined that it will not grant a waiver request to Ms Daly to file a late submission on PC120. Ms Daly will have the opportunity to make a submission in the second submission period, once it opens.

## **Confidentiality requests**

### **5. Waiver applications received**

- 5.1 The Council notified the SDR on 14 May 2026. On 14 and 15 May 2026, the Panel received three waiver applications for anonymity regarding the submitter's contact details, address for service, and/or home address in their PC120 submission.

### **6. Matters to be taken into account**

- 6.1 The RMA requires submitters to provide their name and an address for service<sup>1</sup>, and requires councils to make submissions available to the public<sup>2</sup>. The RMA is therefore premised on the submitter's details being made publicly available. A submission seeking relief specific to a particular property will also generally need to specify that property address so that the Council understands where that relief is sought. PC120 submission forms required submitters to acknowledge and agree that their personal details, names, and addresses would be made public as part of the public submission process.

### **7. Response to waiver applications**

- 7.1 The specified time period for waiver applications relating to confidentiality has passed. The SDR has been notified by the Council. Amendments to the SDR now would generally require it to be re-notified.
- 7.2 Given the RMA requirements for submitters to provide their details, the Panel has determined that it will not grant the waiver requests for confidentiality.

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<sup>1</sup>RMA schedule 1 clause 6(5) requires a submission to be made in the prescribed form. The Resource Management (Forms, Fees, and Procedures) Regulations 2003 form 6 requires a submission to provide the name and address for service of the submitter.

<sup>2</sup> RMA schedule 1 clause 7.

## 8. Next steps

- 8.1 This Minute will be made publicly available and uploaded to the PC120 website.



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Sarah Shaw

**Chair**

**Independent Hearings Panel – PC120**

**Date: 3 June 2026**