

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

**AND**

**IN THE MATTER** **Intensification Planning Instruments Plan Changes (IPI) and related Regional Policy Statement and Plan Changes to the Auckland Unitary Plan – Operative in Part (AUP-OP)**

**MINUTE (1 MARCH 2023) FROM THE INDEPENDENT HEARING PANEL**

**WOOLWORTHS NEW ZEALAND LIMITED – SUBMISSION 1779**

1. In accordance with Resource Management Act 1991 (RMA) - Part 6 Clause 96 of the First Schedule and sections 34 and 34A, the Auckland Council (the Council) has appointed an Independent Hearing Panel (IHP). The IHP has been delegated to hear submissions and make recommendations to the Council on the IPI plan changes and decisions on the non IPI plan changes.
2. The IHP has received a letter from Woolworths New Zealand Limited’s planning consultant Ms Panther Knight dated 28 February 2023.<sup>1</sup> Ms Panther Knight’ letter stated:

*Having reviewed the summary of decisions requested and based on subsequent correspondence from yourself, it appears the submission has been coded to a singular submission point (1779.1) and allocated to the Hearing Topic 001 – Plan Making and Procedural (subtopic: Consultation and Engagement – general).*

*Notwithstanding that submission coding and allocation, this letter serves to register that, per the original submission. Woolworths reserves its position to make further representations to other hearing topics as the hearing process progresses and to ensure, again as per the original submission, their involvement should the provisions of PC78 evolve or alter through the course of the plan change process. XX*

3. Woolworths New Zealand Limited’s submission sought

*As noted, Woolworths is neutral in its position regarding the provisions of PC78 as notified.*

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1. AUCKLAND COUNCIL PLAN CHANGE 78 TO THE AUCKLAND UNITARY PLAN – CONFIRMATION OF SCOPE FOR SUBMISSION 1779 (ON BEHALF OF WOOLWORTHS NEW ZEALAND LIMITED)

*However, Woolworths wishes to reserve its position to make further representations should the provisions of PC78 evolve or alter through the course of the plan change process.*

4. The IHP, having reviewed the letter and the submission, consider that the submission has been correctly coded as it does not request any specific relief in respect of the provisions of PC78.
5. Furthermore, having lodged a “neutral” submission with no other specific relief sought it is the IHP’s view that no further opportunity should be provided, on an open-ended basis and where the submitter’s ‘position’ on any changes to PC 78 is unknown, for “*further representations should the provisions of PC78 evolve or alter through the course of the plan change process.*”
6. Any enquiries regarding this Minute, or related matters, should be directed to the Senior Hearing Advisor, Mr Sam Otter by email at [npsudhearings@aucklandcouncil.govt.nz](mailto:npsudhearings@aucklandcouncil.govt.nz)



Greg Hill Chairperson

1 March 2023

28 February 2023

Auckland Council

Via email: [sam.otter@aucklandcouncil.govt.nz](mailto:sam.otter@aucklandcouncil.govt.nz); [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

Dear Sir / Madam

**AUCKLAND COUNCIL PLAN CHANGE 78 TO THE AUCKLAND UNITARY PLAN – CONFIRMATION OF SCOPE FOR SUBMISSION 1779 (ON BEHALF OF WOOLWORTHS NEW ZEALAND LIMITED)**

Woolworths New Zealand Limited (**Woolworths**) lodged a primary submission (1779) to Plan Change 78. The thrust of that submission was neutral, with the following relief sought:

**Relief Sought**

8. As noted, Woolworths is neutral in its position regarding the provisions of PC78 as notified.
9. However, Woolworths wishes to reserve its position to make further representations should the provisions of PC78 evolve or alter through the course of the plan change process.
10. Woolworths wishes to be heard in support of this submission.

Having reviewed the summary of decisions requested and based on subsequent correspondence from yourself, it appears the submission has been coded to a singular submission point (1779.1) and allocated to the Hearing Topic 001 – Plan Making and Procedural (subtopic: Consultation and Engagement – general).

Notwithstanding that submission coding and allocation, this letter serves to register that, per the original submission, Woolworths reserves its position to make further representations to other hearing topics as the hearing process progresses and to ensure, again as per the original submission, their involvement should the provisions of PC78 evolve or alter through the course of the plan change process.

Please confirm receipt and that this statement will be tabled for the Hearings Panel's consideration. Please do not hesitate to contact the undersigned if you have any questions regarding this letter.

Yours Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'K' followed by a horizontal stroke that loops back to the left.

**Kay Panther Knight**

Director

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