

Additional Topic¹ Allocation Form

Submitter name	Ellper Holdings Limited
Submission number	1468
Further submission number	
Date	17 March 2023

This form is to be completed by submitters who wish to have their submissions allocated to additional hearing topics. Please use the [Guide to creating topic and subtopic parties lists](#) to determine your current hearing topics.

You must send your Additional Topic Allocation Form (Form) to the Hearing Advisor npsudhearings@aucklandcouncil.govt.nz, as soon as possible or no later than 10 working days before the council's evidence is due.

On receipt of your Form, the Independent Hearing Panel (IHP) chair will determine whether to allow the request.

The IHP will make all Forms and its decision available on the Independent Hearing Panel webpage.

Note: Submitters will retain allocation of original hearing topics whether or not the chair grants the request.

Additional Topic Allocation Criteria

The allocation request will only be permitted where:

- The primary submission is directly 'on' the requested topic, or if indirectly 'on' the requested topic reasons are to be provided why the additional allocation should be granted.
- The requested topic has not already been heard.
- The request is received no later than 10 working days prior to the council evidence exchange for the hearing topic (generally 25 working days before the hearing)
- The decision is consistent with the principles set out in [IHP Hearing Procedures](#) document dated December 2022 and any other Panel document.

Please complete the table(s) below:

¹ Topic in this context means topic or subtopic depending on specificity of the request.

Request 1


Submission point number (if any)	1468.2
Requested topic allocation	Qualifying Matters - Additional
Requested subtopic allocation	Qualifying Matters - Additional
Reasons	Submission 1468, in particular submission point 1468.2 is directly "on" the topic of "Qualifying Matters - Additional". The submission is also similar in content and the decisions sought to other submissions which have been coded to this topic. The submission includes discussion around the application of qualifying matters.
Text of submission 'on' the topic	"Ellper Holdings Limited seek the following decision by Auckland Council; that PC78 be approved ... namely the rezoning of the site at 14 Mason Heights to Medium Density Residential Zone with no qualifying matters applying".

Request 2

Submission point	1468.4
Requested topic allocation	Qualifying Matters - Additional
Requested subtopic allocation	Qualifying Matters - Additional
Reasons	Submission 1468, in particular submission point 1468.4 is directly "on" the topic of "Qualifying Matters - Additional". The submission is also similar in content and the decisions sought to other submissions which have been coded to this topic. The submission includes discussion around the application of qualifying matters.
Text of submission 'on' the topic	PC78 be approved in part ... namely the rezoning of the land at 226 School Road and 79 and 11 Worker Road, Wellsford to the Residential: Mixed Housing Urban zone with no qualifying factors applying

You are welcome to attach additional pages if more space is required.

Panel Decision – if granted in part, please specify below.

Granted	Declined ✓	Date: 30 March 2023	Signature: 
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Reason:

The requested topic has not been heard. The requests were received more than 10 working days prior to the council's exchange of evidence.

Requests 1 and 2 are declined as the submission points are not 'on' Topic 013 Qualifying matters (additional).

The requester refers to similar submission points [inferred as Submissions #2043,#2217] coded into Topic 013. Notwithstanding, the topic addresses matters relating to proposals seeking to introduce new qualifying matters to limit the scale of development enabled by MDRS, including to geographic areas like Herald Island and Warkworth. The submission challenges the appropriateness / justification of applying qualifying matters and is seeking to ensure their zoning proposal is free of qualifying matters. This is not a request to apply new qualifying matters to the sites, therefore not 'on' Topic 013.

We note that the submission is already coded to Topic 007A Outside Urban Environment - Excluded from IPI. This ensures that the submitter will be partied to processes which will holistically address proposals outside of the PC78 area (like those of the submitter).