

27 March 2014

Auckland Unitary Plan Hearings Panel

By email: [info@auphip.govt.nz](mailto:info@auphip.govt.nz)

Dear Sir,

**Re: Framework Plans (Topic 004 Chapter G and Topic 003 Chapter A)**

The Auckland Unitary Plan Hearings Panel have sought legal advice from Dr RJ Somerville QC regarding the vires of Framework Plans under the Resource Management Act 1991 (RMA).

I am the planning consultant for City Works Depot Site Limited (CWD), the owners of the Cook Street Depot Precinct, within the City Centre of Auckland. This precinct is current subject to a Framework Plan and CWD are supporters of that process. CWD believe that framework plans provide a flexible planning process that provides for comprehensive and integrated planning outcomes in a way that plan changes or subdivision applications currently do not. The framework plan process is both flexible and a mechanism by which innovative planning outcomes can be delivered in an efficient manner. Such tools are able to respond to market trends and deliver quality outcomes.

CWD is of the view that we should be looking at ways of making to planning tool work in a manner that satisfies the legal tests of the RMA.

In terms of the legal opinion provided, CWD agrees with a number of the conclusions, including provisions relating to “not in compliance with a framework plan” and provisions that render applications non-complying if they are made in the absence of a framework plan.

However, CWD does not support the findings in relation to notification and additional development potential (as a result of a framework plan). In relation to the second point, this issue is a complex matter, where the actual and potential effects of additional development potential have been tested through the plan change/district plan process in a transparent and open manner. This particular point warrants further discussion and understanding. Overall, CWD prefers that framework plans remain a tool able to be utilised in appropriate locations.

CWD would like to attend any further meetings/conferences on this matter.

Many thanks.

Regards,

A handwritten signature in blue ink, appearing to read 'Vijay Lala', is centered on a light yellow rectangular background.

Vijay Lala

Director

**Tattico Limited**