

In the matter of Plan Change 78, an Intensification Planning Instrument notified under s 80F of the Resource Management Act 1991

Between **Vector Limited**
Submitter

And **Auckland Council**
Local Authority

Withdrawal of submission

Date: 9 July 2024

MC.

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Withdrawal of submission

- 1 Vector Limited (**Vector**) is a submitter on Plan Change 78 (**PC78**), which is an Intensification Planning Instrument (**IPI**).
- 2 Vector is concerned with the construction of buildings dangerously close to electricity distribution infrastructure, particularly overhead power lines, and this risk is further elevated by the increased building heights and reduced setbacks under the Medium Density Residential Standards (**MDRS**).
- 3 Vector's submission sought to mitigate that risk by introducing Auckland-wide minimum safe distance rules as a qualifying matter. However, in light of the High Court's recent decision in *Kapiti Coast District Council v Waikanae Land Company*,¹ it will not be possible for a qualifying matter in an IPI to go beyond disabling the MDRS, rather, it can merely maintain the status quo.
- 4 As a consequence, Vector considers that it will not be possible for it to advance a coherent and Auckland-wide rule framework requiring the observance of minimum safe distances as part of an IPI. It appears that such an outcome will only be achievable via a separate, non-IPI plan change.
- 5 Vector therefore withdraws its submission on Plan Change 78.



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Brandon Watts
Counsel for Vector Limited

¹ *Kapiti Coast District Council v Waikanae Land Company* [2024] NZHC 1654.