

**IN THE MATTER** of the Resource Management Act 1991

**AND**

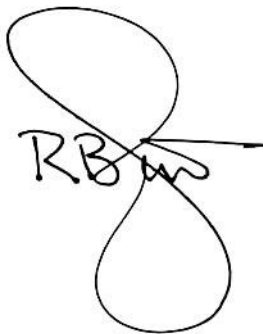
**PLAN CHANGE 5** Whenuapai Plan Change to Auckland  
Unitary Plan Operative in part

**DIRECTIONS OF THE HEARING PANEL OF COMMISSIONERS: PLAN CHANGE 5**

1. The Auckland Council (the Council) has appointed Independent Hearing Commissioners Robert Scott (Chair), Juliane Chetham, Gavin Lister and Councillor Chris Darby pursuant to section 34A of the Resource Management Act 1991 (RMA), to hear and determine submissions to Plan Change 5.
2. The plan change was notified for submissions on 21 September 2017. Submissions closed on 19 October 2017, with further submissions to the plan change closing on 23 November 2017.
3. The hearing is scheduled for **4, 7 and a half day on 10 May 2018**.
4. The Commissioners have considered whether any directions are appropriate under section 41B and section 42A of the RMA. Section 41B provides that the Council may direct that evidence from any expert called by submitters be provided to the Council before the hearing. Section 42A RMA provides that the Council may require a report on the matters to be considered be provided prior to the hearing.
5. The Commissioners are aware that a section 42A report is currently under preparation by the Council.
6. Accordingly, the Commissioners direct as follows:
  - (a) Pursuant to section 42A RMA, that the section 42A report be made available on Council's web site by **5pm, Thursday 12 April 2018**.
  - (b) Pursuant to section 41B(3) and (4) RMA, that if any person who has made a submission intends to call expert evidence at the hearing (generally being evidence given by a professional with specialist qualifications and experience) then that party is to provide that evidence to the Council by **12pm, Monday 23 April 2018**. The evidence is to be in either PDF or WORD document format.
  - (c) As soon as possible after receipt of any such evidence received pursuant to the above Directions, that the Council places the evidence on Council's website.
  - (d) Council may, in response to the expert evidence provided by submitters, provide an updated set of plan provisions (track changes) as an addendum to the Section 42A report by **5pm, Monday 30 April 2018**, with any supporting commentary as needed.

7. Pursuant to section 41C(1) RMA, that in respect of evidence pre-circulated in accordance with these Directions, the hearing will be conducted in the following manner:
  - (a) The party that has provided the pre-circulated evidence is to call the witness in person;
  - (b) The witness will then be asked to draw to the attention of the Commissioners the key points in the evidence. In this respect the expectation of the Commissioners is that the witness will be able to speak to the evidence or a written summary. The Commissioners may require certain evidence to be read where it is considered important to the proceedings; and
  - (c) The witness may then be questioned by the Commissioners.
8. The purpose of these Directions from the Commissioners is to provide the opportunity for them, and for the parties, to consider any technical evidence in advance of the hearing to assist all parties in understanding that evidence.
9. The Directions do not apply to evidence to be presented by submitters who are “non-experts”, or persons who do not provide expert evidence at these types of proceedings. They will have the opportunity to present written or oral evidence at the hearing in the normal manner. They do not need to pre-circulate their own statements or representations before the hearing commences.

Any enquiries regarding these Directions or related matters should also be directed to Andrea Chung, Hearings Advisor, [DS-Hearings@aucklandcouncil.govt.nz](mailto:DS-Hearings@aucklandcouncil.govt.nz).

A handwritten signature in black ink, consisting of a large, stylized loop at the top, followed by the letters 'R.B.' and a horizontal line extending to the right, and another large loop at the bottom.

Robert Scott  
for the Hearing Commissioners  
14 March 2018