

**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)**

**HEARING DIRECTION (20 FEBRUARY 2023) FROM THE INDEPENDENT HEARING PANEL**

**HEARING – PLAN CHANGE 78 – PLAN MAKING AND PROCEDURAL (2 SUBTOPICS) AND MEDIUM DENSITY RESIDENTIAL STANDARDS TOPICS**

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. A hearing is to be held on Plan Change 78 for those submitters whose submissions have been categorised to the Topic and Subtopics listed below<sup>1</sup>:
  - Topic 001 – Plan Making and Procedural
    - Subtopic – Central Government Process – mandatory requirements
  - Topic 001 - Plan Making and Procedural
    - Subtopic – Consultation and Engagement - general
  - Topic 002 – Medium Density Residential Standards response
3. The hearing of submissions to these topics and subtopics, which largely address those submissions generally opposing or supporting aspects of or the entirety of plan change 78, is set down for the **28 and 29 March 2023**, with the **30 March 2023** set aside as an overflow day (only if required).
4. In terms of evidence exchange, the IHP directs as follows:
  - That the Council’s evidence is filed with the IHP no later than **4pm-6 March 2023**;
  - That submitter evidence is filed with the IHP no later than **4pm-13 March 2023**;
  - Any rebuttal evidence is filed with the IHP no later than **4pm-20 March 2023**
5. The IHP encourages parties to pre-circulate any opening legal submissions in advance of the hearing, preferably at the same time as the evidence exchange dates set out above; but no later than the **22 March 2023**. The Hearing Panel and other parties will be assisted if the legal submissions can be pre-read.

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<sup>1</sup> See the Summary of Decisions Requested

6. The purpose of these Directions is to provide the opportunity for the IHP and the other parties to have read and considered any legal submissions, evidence in advance of the hearing to assist in understanding the case being presented. As the IHP will have read all the pre-circulated material before the hearing, there will be no need for it to be read out. An executive summary maybe read out or the key points highlighted.
7. Parties are directed to the IHP's "Intensification Plan Changes – Hearing Procedures: December 2022" – in particular the sections titled: "Format of Hearing Evidence" and "Hearing Session Presentation" – <https://www.aucklandcouncil.govt.nz/have-your-say/hearings/types-of-hearings/npsud-independent-hearings/Pages/independent-hearings-panel-documents.aspx>
8. Any enquiries regarding this Direction, 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

20 February 2023