

IN THE MATTER of the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER **Intensification Planning Instrument Plan Change (IPI) - Plan Change 78 - and related Regional Policy Statement and Plan Changes (non IPI Plan Changes) - Plan Change 79 and 80 - to the Auckland Unitary Plan – Operative in Part (AUP-OP)**

PROCEDURAL MINUTE 1 FROM THE HEARING PANEL

PRE - HEARING CONFERCING - AND INITIAL HEARING IN RELATION TO PLAN CHANGES 78, 79 AND 80 - ADVANCE NOTICE

1. In accordance with the 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. It's delegations also include addressing any procedural matters.
2. The IHP is giving advance notice of its intention to hold a Pre-Hearing Conference most likely in **early/mid-March 2023**. It is likely to span over a number of days. We will confirm the dates in early 2023; but the IHP wanted to give as much forward notice as possible as to its intent, and for parties to prepare accordingly.
3. The purpose of the Pre-Hearing Conference will be two-fold - to:
 - A. Outline the IHPs hearing procedures (set out in the IHP's **Intensification Plan Changes – Hearing Procedures** document which will be available on the IHP's hearing web page once that is set up (likely to be mid December 2022), and to address other procedural and/or preliminary matters (likely to include an outline of the overall hearing schedule), as well as any matters identified by other parties; and
 - B. Provide an opportunity for parties to provide an overview of their entire case, so as to help inform the IHP of the key issues that will be presented over the course of the subsequent hearings.
4. With respect to B above - the conferencing session will be 'scene setting'. Accordingly, we request that the Council and those submitters who have broader interests/submissions across the plan changes (as opposed to those who have a single or limited number of issues) present to the IHP. This is likely to be in the form of (legal) submissions and or broader/strategic (planning) evidence.
5. The conferencing session will not be addressing specific submissions, and no recommendations will be made by the IHP on material presented at the session. However, in the subsequent

hearings it will be appropriate and acceptable for the parties to refer to, or rely on, the 'overview' submissions and/or strategic evidence. This is so that the same material does not need to be presented at each hearing addressing specific submissions.

6. A further Minute and/or Directions will be issued in early 2023 (after the Further Submissions period) setting the details of the Pre-Hearing Conferencing session. However, **parties who intend to present at it are encouraged to advise the Council's Senior Hearing Advisor, at the email address below**, preferably no later than **20 January 2022**, confirming the intent to appear and the amount of time required to present. This is to enable the IHP to determine how many days the conferencing may take¹.
7. Following the Pre-Hearing Conferencing session, the first hearing of submissions will be those generally opposing the plan changes (examples may include those opposing the plan changes on the basis that Auckland already has sufficient development capacity, or those seeking to change the Medium Density Residential Standards prescribed in the RMA), and then those submitters who generally support the plan changes. The hearings that follow will be 'topic based' and will be set out in the IHP's hearing schedule (to be made available when it is completed).
8. Any enquiries regarding this Minute, or related matters, should be directed to the Council's Senior Hearing Advisor, Mr Sam Otter by email at npsudhearings@aucklandcouncil.govt.nz.



Greg Hill - Chairperson
Independent Hearings Panel

6 December 2022

¹ Noting that the IHP may need to limit time allocations