

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 1 FROM THE HEARING PANEL

ACCEPTING LATE SUBMISSIONS

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. It's delegations also include addressing any procedural matters.
2. The IPI and non IPI plan changes were notified on 18 August 2022, with the submission period closing on 29 September 2022. After the closing of the submission period a number of (late) submissions have been received by the Council.
3. Under clause 98(3), Part 6 of Schedule 1 and section 37 (and for the reasons set out in section 37A) of the RMA, the IHP has the ability to accept or reject any late submissions.
4. The IHP has decided to accept all of those late submissions received up until midnight 20 October 2022. The IHP Chairman has reviewed all of the late submissions.
5. In making this decision the IHP is satisfied that: no delay will result in the hearing process by accepting these submissions; will assist in achieving an adequate assessment of the plan changes and variations; and no person will be adversely affected by accepting them.
6. Some of the late submissions are corrections to, edits of, 'hard copy' of, and/or adding (corrected) attachments, to submissions that were lodged on time. For the avoidance of doubt, we record that we have accepted those submissions.
7. The IHP directs that any submissions received after midnight 20 October 2022 will need to seek an individual waiver from the IHP to determine whether or not it will accept that submission(s). Any waiver application will need to be accompanied by:
 - a statement as to why it was late and could not have been lodged on time (or before midnight 20 October 2022), and
 - the reasons why the IHP should accept it.
 - how it would assist in achieving an adequate assessment of the plan changes and variations.

8. The IHP notes that it is highly unlikely to grant any waivers that will impact the scheduled notification of the primary submissions for Further Submissions, or once that summary of submissions has been notified, unless there are significant extenuating circumstances.
9. Any waiver application will need to be provided to:
 - npsudhearings@aucklandcouncil.govt.nz or
 - posted to - IPI - NPS Independent Hearings Panel, ATTN: Sam Otter, Senior Hearings Advisor, Private Bag 92300, Victoria Street West, Auckland 1142.
10. Any enquiries regarding this Direction, 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

25 October 2022