

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 31 JANUARY 2023 FROM THE HEARING PANEL

ACCEPTING LATE FURTHER 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. Its delegations also include addressing any procedural matters.
2. The “Summary of Decisions Requested” to the submissions lodged to the IPI and non IPI plan changes was notified on 5 December 2022. The further submission period was to close on the 13 January 2023 but was extended by the Council until the 20 January 2022¹.
3. After the closing of the submission period a number of (late) further submissions have been received by the Council. 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 further submissions received up until **midnight 27 January 2022**. The Chairman has reviewed all of the late further 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. The IHP directs that any further submissions received after **midnight 27 January 2022** will need to seek an individual waiver from the IHP to determine whether or not it will accept that further 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, and
 - the reasons why the IHP should accept it.
 - how it would assist in achieving an adequate assessment of the plan changes and variations.

¹ For those submissions that were summarised and notified on the 5 December 2022.

7. Given the Council has already provided a week's extension to the further submission period, as well as the additional time provided by this Direction, it is the IHP's view that unless there are extenuating circumstances it is unlikely to accept other late further submissions. This is because this is likely to impact the planning and scheduling of the alternative dispute resolution sessions and the hearings.
8. Any waiver application will need to be provided to npsudhearings@aucklandcouncil.govt.nz
9. 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

31 January 2023