

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of Plan Change 22 and Plan Modification 12 to the
Auckland Unitary Plan

DIRECTION OF THE CHAIRPERSON OF COMMISSIONERS

1. Pursuant to section 34A of the Resource Management Act 1991 (**RMA**), Auckland Council (**the Council**) has appointed Independent Hearing Commissioners Sheena Tepania (as Chairperson), Alan Watson, and William Kapea (**the Panel**) to hear and determine submissions to Proposed Plan Change 22 (**PPC22**) and Proposed Plan Modification 12 (**PPM12**) to the Auckland Unitary Plan-Operative in Part (**AUP(OIP)**).
2. PPC22 introduces 30 new sites to the AUP(OIP)'s Sites and Places of Significance to Mana Whenua Overlay as identified in Chapter L, Schedule 12 of the AUP(OIP). Thirteen (13) of the sites proposed to be included in Schedule 12 are already scheduled and recognised for their historic heritage values in Schedule 14.1 (5 sites) or as Outstanding Natural Features (**ONFs**) in Schedule 6 (8 sites). PPC22 applies the 'Mana Whenua' criterion to the nominated sites in the Schedules.
3. PPM12 amends Appendix 1f: Schedule of Māori Heritage Sites (inner islands) in the Hauraki Gulf Islands (**HGI**) section of the AUP(OIP) to include four sites. It also introduces explanatory wording into Part 7.13 and Appendix 4 - Criteria for Scheduling Heritage Items, to make explicit the criteria for scheduling Māori heritage sites. This wording is in the form of introductory information and also explains the evaluation criteria for identifying and evaluating Māori heritage sites in the HGI.
4. The hearing has been set down for two (2) days on Thursday 20 February 2020 and Friday 21 February 2020.
5. The reason for this Direction is to establish dates for the provision of reports and/or expert evidence so that the proceedings can be conducted in an efficient and effective manner. It is also recognised that there may be a considerable amount of material to be collated and circulated prior to the hearing and sufficient time is needed for doing so.
6. The Chairperson is aware that a section 42A RMA report is currently under preparation by the Council.
7. Accordingly, the Chairperson directs under sections 41B and 42A of the RMA as follows:

- (a) The Council officer's section 42A RMA report is to be provided to the Hearings Advisor by **midday, Thursday 23 January 2020**.
 - (b) That the section 42A RMA report be circulated to the Panel and the submitters and posted on Council's website, as soon as possible after receipt but in any event no later than **5pm, Monday 27 January 2020**.
 - (c) Pursuant to sections 41B(3) and (4), 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 Hearings Advisor by **5pm, Tuesday 11 February 2020** for circulation to the Panel, the other submitters and the Council officers.
 - (d) That the submitters' expert evidence be posted on Council's website as soon as possible after receipt but in any event, no later than **midday, Wednesday 12 February 2020**.
8. The purpose of this Direction is to provide the opportunity for the Panel and for the parties to consider any expert or technical evidence in advance of the hearing to assist all parties in understanding that evidence.
 9. For the avoidance of doubt, lay representations (non-expert evidence) or evidence to be presented by submitters who are "non-experts" (persons who do not provide expert evidence at these types of proceedings) and legal submissions are not required to be provided prior to the hearing. 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.
 10. This Direction is to be circulated to all the parties to the hearing by the Hearings Advisor. That may be by email.
 11. For further information on the format of evidence required please refer to the notification letter attached.

Any enquiries regarding this Direction or related matters should be directed to Sam Otter, Hearings Advisor by email at sam.otter@aucklandcouncil.govt.nz.



Sheena Tepania (Chair)
for the Hearing Panel
13 November 2019