

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) – Plan change 78.**

DIRECTION (22 FEBRUARY 2023) FROM THE HEARING PANEL

DIRECTION TO THE COUNCIL TO UNDERTAKE MEETINGS WITH IDENTIFIED SUBMITTERS UNDER CLAUSE 8AA OF THE RMA

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. Clause 8AA – Resolution of Disputes of the First Schedule of the RMA enables a process to clarify and resolve disputes between parties. The IHP has already advised all parties that the IHP will be using alternative dispute resolution processes (ADR) including: meetings, mediations and expert conferencing¹.
3. This Direction directs the Council to meet with submitters who have submission points coded to the attached topic list. The purpose of meetings is to discuss and potentially resolve or narrow the issues raised in the submissions. This may enable the Council and submitters to: reduce the scope and length of their legal submissions and/or evidence; to focus on those matters that remain in contention; to reduce the amount of hearing time they may request before the IHP; or if the matter(s) is resolved submitters may decide they do not need to be heard before the IHP.

Topics for Meetings

4. The IHP has identified a number of topics (including subtopics) that would benefit from the Council and submitters meeting in an attempt to resolve or narrow the issues raised in the submissions. That list is attached.
5. The Council is to make contact with the submitters who have submission(s) points coded to one or more of the identified topics/subtopics (see the Summary of Decisions Requested for topic/subtopic allocation) to set up the meetings. These meeting are to occur as soon as practicable given the parties availability and the resourcing of the Council, but prior to the

¹ IHP Direction dated 22 February 2023

formal evidence exchange dates for the relevant hearing (as set out in the IHP's Hearing Procedures document date 22 December 2022 or as directed by the IHP). The likely hearing schedule will be announced as soon as possible, likely in early/mid-March 2023.

Record of the Meetings and any Outcomes Agreed.

6. The Council is to provide a record of the meetings held and any agreed outcomes and/or actions arising from the meeting(s)². This is to be provided to the IHP either as part of the Council's³ evidence or legal submissions to the relevant hearing, or earlier in the form of a memoranda/report.
7. 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



Greg Hill Chairperson

22 February 2023

² The date(s) and who attended (including their role -eg the submitter, legal counsel, an expert or other)

³ It may also be included in any submitter evidence and/or legal submissions

Topic number	Topic	Subtopic
020	Precincts - NPS-UD MDRS Response	I205 Downtown West Precinct
020	Precincts - NPS-UD MDRS Response	I206 Karangahape Road Precinct
020	Precincts - NPS-UD MDRS Response	I207 Learning Precinct
020	Precincts - NPS-UD MDRS Response	I209 Quay Park Precinct
020	Precincts - NPS-UD MDRS Response	I305 Avondale 1 Precinct
020	Precincts - NPS-UD MDRS Response	I308 Central Park Precinct
020	Precincts - NPS-UD MDRS Response	I312 Ellerslie 2 Precinct
020	Precincts - NPS-UD MDRS Response	I326 Ōrākei 1 Precinct
020	Precincts - NPS-UD MDRS Response	I403 Beachlands 1 Precinct
020	Precincts - NPS-UD MDRS Response	I429 Pararēkau and Kōpuahingahinga Precinct
020	Precincts - NPS-UD MDRS Response	I431 Pine Harbour Precinct
020	Precincts - NPS-UD MDRS Response	I433 Pukekohe Hill Precinct
020	Precincts - NPS-UD MDRS Response	I438 Takanini Precinct
020	Precincts - NPS-UD MDRS Response	I502 Albany Centre Precinct
020	Precincts - NPS-UD MDRS Response	I508 Devonport Peninsula Precinct
020	Precincts - NPS-UD MDRS Response	I519 Long Bay Precinct
020	Precincts - NPS-UD MDRS Response	I529 Orewa 1 Precinct
020	Precincts - NPS-UD MDRS Response	I532 Pinewoods Precinct
020	Precincts - NPS-UD MDRS Response	I533 Red Beach Precinct
020	Precincts - NPS-UD MDRS Response	I537 Silverdale 3 Precinct
020	Precincts - NPS-UD MDRS Response	I539 Smales 2 Precinct
020	Precincts - NPS-UD MDRS Response	I550 Millwater South Precinct
020	Precincts - NPS-UD MDRS Response	I552 Warkworth Clayden Road Precinct
020	Precincts - NPS-UD MDRS Response	I553 Warkworth North Precinct
020	Precincts - NPS-UD MDRS Response	I600 Babich Precinct
020	Precincts - NPS-UD MDRS Response	I607 New Lynn Precinct
020	Precincts - NPS-UD MDRS Response	I609 Penihana North Precinct
020	Precincts - NPS-UD MDRS Response	I615 Westgate Precinct
021	Other Zones (provisions)	H27 Special Purpose - Māori Purpose Zone
009	Qualifying Matters A-I	National Grid (D26)
009	Qualifying Matters A-I	Strategic Transport Corridors
016	Business Zones (provisions)	Business Park Zone
016	Business Zones (provisions)	Heavy Industry Zone
016	Business Zones (provisions)	Business Zones (General or other)