

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)**

DIRECTION (26 APRIL 2023) FROM THE HEARING PANEL

RESPONSE TO THE AUCKLAND COUNCIL’S MEMORANDUM REQUESTING A PAUSE OF ALL HEARINGS AND ALTERNATIVE DISPUTE RESOLUTION PROCESSES FOR PC78

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. Its delegations also include addressing any procedural matters.
2. The IHP issued a Minute¹ on this matter setting out its initial response. This Direction sets out the process the IHP has decided to address the Council’s request set out in its Memoranda.
3. As set out in the earlier Minute, the IHP received the Auckland Council’s Memorandum² requesting a pause of all hearings and alternative dispute resolution processes (ADR) for PC 78. The reasons for this were set out in the Memoranda, with the final paragraph stating:

For the reasons set out in this memorandum it is therefore respectfully requested that the IHP pauses the current hearing and alternative dispute resolution / expert conferencing processes for all topics under PC78 for the time-being and counsel is available to attend a conference at short notice to discuss this request. We also respectfully suggest that consideration be given at any conference as to whether there are any PC78 topics that are considered discrete enough to be considered at this time.

4. In relation to the Council’s Memoranda, the IHP will hold a **Conference**, and that it **directs** the Council to appear at that Conference and address the matters set out below. The IHP also invites the participation of submitters also as set out below.
5. The Conference will be held **Wednesday 3 May 2023**, commencing at **9.30 am**, to be held in the **Town Hall**
6. The purpose of the Conference is for the Council to set out its reasons for the request and its views on “*whether there are any PC78 topics that are considered discrete enough to be*

¹ Dated 24 April 2023

² Dated 21 April 2023

considered at this time"; and to enable submitters to set out their views (supporting or opposing) the Council's request and if any topics can be considered now.

7. The IHP will accept brief written statements, not exceeding 3 pages, on the request made by the Council. The statement shall only address support for, or opposition to, pausing PC 78, and whether there are topics that may be heard now (and reasons for this). Any written statements need to be provided to Mr Otter (at the email address below) **no later than 10 am 1 May 2023**.
8. Any submitter who wishes to be heard at the Conference is to advise Mr Otter (at the email address below) **no later than 10 am 1 May 2023**.
9. Depending on how many submitters wish to be heard (in addition to the Council), the IHP will determine if it needs to hear from all submitters, and/or limit the time each submitter has to speak.
10. 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

26 April 2023