

# AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL

*Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau*

## FACT SHEET

### Fact Sheet 6 – Evidence for the Unitary Plan hearing process

Date: 10 August 2015

**This fact sheet has been developed to assist those participating in the hearings process for the Proposed Auckland Unitary Plan (the Plan). Please note that it is only a summary of the information contained in the Auckland Unitary Plan Hearing Procedures document. Please refer to the Procedures document at [www.aupihp.govt.nz](http://www.aupihp.govt.nz) for more detail.**

**The hearings process is a requirement of the Local Government (Auckland Transitional Provisions) Act 2010 (LGATPA) and will be carried out by an independent hearings panel that has been appointed by the Minister for the Environment and the Minister of Conservation.**

This fact sheet provides information about **presenting evidence**. It summarises key points from the Independent Hearings Panel. Please read [procedural minute 9](#) and [procedural minute 11](#) for more information.

If you are preparing evidence for hearings on the Rural Urban Boundary (016,017) or rezoning and precincts (080,081) please also read the panel's [interim guidance](#) on preparing for these hearings.

#### What is evidence?

Evidence is material that you wish to present to the Independent Hearings Panel (the Panel) in support of your submission. This may explain things in your submission or provide details of the changes you want to see made to the Plan.

***You do not have to provide any evidence in support of your submission if you feel that your submission already makes your views clear.***

#### What is expert evidence?

Expert evidence is from a person who has the qualifications and knowledge to be recognised as an expert in their particular field. They must be independent and not be an advocate for any particular position. Experts are often planners, architects, landscape architects, engineers, scientists or urban designers.

The Panel will require the experts to state that they agree to comply with the Environment Court's expert witness code of conduct.

The expert's qualifications, expertise and experience are to be included in an appendix to the evidence.

Kaumātua and Kuia are considered to be experts for the purposes of this hearing process.

### **What is lay (non-expert) evidence?**

Lay or non-expert evidence is evidence from any person who is not an expert (see the definition of expert evidence above).

### **When do I provide my evidence?**

- The Council needs to provide its evidence to the Panel at least 25 clear working days before the hearing; and
- All other submitters need to provide their evidence to the Panel at least 15 clear working days before the hearing; and
- Rebuttal evidence is due at least 5 clear working days before the hearing

or as otherwise directed by the Panel. The evidence exchange dates for your topic will be included in the notice of hearing.

### **What happens if I do not provide my evidence on time?**

If you do not provide your evidence on time it will be up to the Panel to decide if they will allow you to present your evidence at the hearing.

If you do bring late evidence on the day of the hearing please bring at least 12 copies with you. You should give these to the hearing administrator when you arrive at the hearing.

### **What format must I provide my evidence in?**

All evidence lodged with the Panel shall be:

Headed clearly with:

- the name of the submitter who or on whose behalf the document is being lodged;
- the submission number;
- the hearing topic name and number;
- whether they contain primary or rebuttal (reply) evidence;
- if containing the evidence or submissions of someone other than the submitter, the name of that witness or counsel; and
- the date;

Set out in:

- Arial 11 point font with sufficient margins and line-spacing that the content is readily legible;
- sequentially numbered paragraphs with sequentially numbered or lettered sub-paragraphs;

Lodged electronically in either unsecured and searchable .pdf or unsecured .doc format.

### **What should the content and length of my evidence be like?**

The Panel has limited time to hear all of the submissions and evidence to the Proposed Unitary Plan. It is important to make sure your evidence is concise and sets out clearly the issues of concern and the changes you are seeking. Submitters are asked to:

- provide a summary statement of your main points (this should be no more than 3 pages);
- focus on the matters you do not agree with and the reasons why;
- put the matters you agree with in an appendix (or otherwise separate them from the matters you do not agree with);
- put the details of the changes you are seeking to the plan text and maps in an appendix.

Mark up the changes you want to the Plan text as underlined additions and struck-through deletions (using the font options in Word). Do not use tracked changes (the review option in Word). You can find Microsoft Word versions of the Proposed Auckland Unitary Plan [here](#).

Changes to Plan drawings (including maps) should include the relevant Plan drawing (as notified) and the version that you wish to substitute.

Any other material should be placed in appendices. Any tables, figures or diagrams shall have a number, a title and be cross-referenced to the relevant text of the evidence.

See the [our process page](#) for examples of well-prepared evidence and legal submissions.

You might like to use our evidence template. You can find the template [here](#), under 'hearing schedule documents'.

If you are preparing evidence for hearings on the Rural Urban Boundary (016,017) or rezoning and precincts (080,081) please read the panel's [interim guidance](#) on preparing for these hearings.

### **Should I read my evidence at the hearing?**

Before the hearing the Panel will read the evidence that has been provided by the due date.

You may read your summary statement but not the evidence in full. If the Panel agrees, you may take the Panel to any key diagrams, maps or other material that would assist the Panel to understand the evidence.

You may not introduce new material that is not in your evidence unless a request to do this is granted by the Panel.

### **For help or more information**

If you have any questions about the evidence process, please contact the panel office at [info@aupihp.govt.nz](mailto:info@aupihp.govt.nz) or on 09 979 5566.