

AUCKLAND UNITARY PLAN
INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

Pre-hearing meeting report

For procedure in relation to further
submissions

Chairperson - Judge D Kirkpatrick

Date: Friday, 1 August 2014

This report is prepared in accordance with the Auckland Unitary Plan Independent Hearing Panel procedure.

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Attachments:

1. Attendance record

1. Pre-hearing meeting proceeding

This report is a record of the Pre-hearing meeting on the procedure in relation to further submissions. It is prepared in accordance with section 131(4) of the Local Government (Auckland Transitional Provisions) Amendment Act 2013.

1.1 Pre-hearing meeting information

This section provides details of the pre-hearing meeting.

Topic	Procedure in relation to further submissions		
Where	AUPIHP Hearing Room 1 Level 16, 205 Queen Street, Auckland Central	When	Friday, 1 August 2014 2pm
Chairperson	Judge D Kirkpatrick	File Ref:	
Panel Members	Mr Peter Fuller	IHP Officers	Mr Phill Reid
	Mr Greg Hill		Ms Julie McKee
	Mr John Kirikiri		Mr Adam Jellie
	Mr Stuart Shepherd		Ms Crystal Chan
Apologies	Ms Jan Crawford		
	Ms Paula Hunter		
	Mr Des Morrison		

The Chair introduced the panel members and IHP officers present and outlined the purpose of the meeting.

1.2 Parties attendance records

The Chairperson confirmed the attendance of the required parties at the pre-hearing meeting and thanked the invited parties for attending. Refer to Attachment 1 for the attendance record.

2. Parties issues / matters

The following table lists the parties that spoke to their issues / matters at the pre-hearing meeting.

Name	Issues raised	Supporting material provided
Mr Paul Cavanagh QC	Procedure in relation to further submissions	Memo dated 1 August 2014
Auckland Council represented by Mr James Hassall and Ms Corina Faesenkloet	Response to Mr Cavanagh's matter	Memo dated 31 July 2014
Ms Gillian Chappell	Ability to submit partial withdrawal of submissions	
Ms Helen Atkins	Request the panel to consider releasing draft recommendations following the RPS hearings	

3. Discussion

Procedure in relation to further submissions

Mr Cavanagh spoke to the issues outlined in his memorandum dated 9 July 2014 and confirmed that Procedural Minute No. 5 dealt with the majority of his issues.

The panel confirmed:

- that they have been discussing the issue of additional items being added to the schedules and will be providing some direction on that matter soon
- Mr Cavanagh has raised a practice issue in regards to the Cultural Impact Assessment that the processing arm of council is responsible for. The panel does not have any control over council staff. Mr Cavanagh may wish to raise this issue with Council's CEO
- that they have obtained the services of 15 very experienced mediators/facilitators and have taken on board the concerns of submitters being required to attend multiple mediations for one property.

Auckland Council responded:

- the Resource Consent department has two staff members available to assist the public with the Cultural Impact Assessment matter
- that the panel's Parties and Issues Report that will be produced prior to a topic commencing will assist those submitters involved in mediation.

Ability to submit partial withdrawal of submissions

The panel confirmed that the Council will accept partial withdrawals of submissions.

Ms Chappell enquired if council will inform the relevant further submitters of the withdrawal or partial withdrawal of prime submissions.

Auckland Council responded that it hasn't considered that point at this stage but confirmed that there will be a register of withdrawals and partial withdrawals on council's website.

Request the panel to consider releasing draft recommendations following the RPS hearings

The panel confirmed they have had several discussions regarding this matter and are unable to confirm at this early stage what their view on releasing draft recommendations after the RPS hearings will be. The panel will not be in a position to make a decision in this matter until they have seen what cases submitters are likely to present on the RPS issues.

4. Any other matters

The panel announced that there will be an outline of the hearing programme on its web-site shortly. The panel is hoping to commence the pre-hearings on the RPS issues in mid-September 2014 and will endeavour to complete them in early February 2015. They will then make a decision about whether to release none, some or all of their recommendations on the RPS.

The panel is anticipating there will be topics where pre-hearing meetings, mediation and expert conferencing may resolve some issues.

Hearings on zoning, specific sites and precincts are not likely to start until the panel has heard the substance of the text of the plan, therefore later in 2015.

The panel will not be holding any hearings between 22 December 2014 and 9 January 2015. Hearings will commence again the week of 12 January 2015.

Dated at Auckland this 8th day of August 2014.

A handwritten signature in black ink, appearing to read "Greg Hill", followed by a period.

Greg Hill

For David Kirkpatrick
Chairperson, Hearings Panel for
Proposed Auckland Unitary Plan

Attachment 1

Attendance record

The following persons were **required** to attend pre-hearing meeting for this topic.

Parties required to attend	Attended (Y/N)	Represented by
Paul Cavanagh QC	Y	
Auckland Council	Y	Mr James Hassall and Ms Corina Faesenkloet

The following persons were invited and did attend the pre-hearing meeting for this topic.

Parties invited to attend	
Russell Bartlett QC	Shortland Chambers
Jennifer Caldwell	Buddle Findlay
Sue Simons	Berry Simons
Kate Mulcahy	Berry Simons
Claire Kirman	Ellis Gould
Douglas Allen	Ellis Gould
Ian Cowper	Meredith Connell
Alan Webb	Barrister
Bronwyn Carruthers	Russell McVeagh
Simon Pilkinton	Russell McVeagh
Gillian Chappell	Barrister
John Burns	Carter Kirkland Morrison
Asher Davidson	Barrister
Robert Enright	Barrister
Paula Brosnahan	Chapman Tripp
Luke Hinchey	Chapman Tripp
Peter Bevan	Chapman Tripp
Helen Atkins	Atkins Holm Majurey
Sarah Anderton	Bell Gully
Derek Nolan	Russell McVeagh
Vernon Rive	Barrister
Chris Simmons	Chancery Green
Stephanie de Groot	Minter Ellison Rudd Watts
Richard Gardner	Barrister
Jessie Duffin	Chancery Green
Katherine Anderson	Barrister
Mike Moody	Barrister
Heather Ash	Simpson Grierson
Diana Hartley	Simpson Grierson
Melinda Dickey	Brookfields
Matthew Allen	Brookfields
Kitt Littlejohn	Barrister
Rowan Ashton	Stuart Ryan Barrister

John Duguid	Auckland Council
Jane Small	NZTA
Greg McKeown	Heart of the City
Alex Sweeney	Heart of the City
Todd Webb	Ministry for the Environment