

AUCKLAND UNITARY PLAN
INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

**Procedural Minute No. 12 by Chairperson
of the Independent Hearings Panel**

**Minute in relation to Hearings Process for
Topic 020: Viewshafts**

20 May 2015

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Following receipt of the memoranda from Housing NZ dated 6 May 2015 and 14 May 2015 and from the Auckland Council dated 7 and 15 May 2015, the Chairperson discussed the issues raised with counsel for those parties.

It had been suggested that the Topic might be divided in two; with consideration of the relevant objectives, policies and rules as a first tranche during the hearing scheduled to commence on 29 June 2015, and then the 87 proposed viewshafts being considered as a second tranche at a later hearing (yet to be scheduled). That suggestion had appeared appropriate to the Panel on the basis that there would be some guidance provided by the Panel after the first hearing, to be taken into account at the second. The Council submitted that such an approach would not be appropriate given the need to assess the text of the Plan together with the proposed viewshafts.

The Chairperson had then directed that the full hearing would proceed as scheduled on 29 June. The Council then expressed concern that its witnesses could not properly prepare the evidence necessary to assess all 87 of the viewshafts identified in the Proposed Plan in time for that hearing.

Having considered the issues further, the Chairperson now makes the following directions:

1. There will be a hearing of Topic 020 – Viewshafts commencing on 29 June 2015. That hearing will be focussed on the relevant text (objectives, policies and rules) of the Proposed Plan in relation to viewshafts and any alternative text sought by submitters.
2. To assist in that focus, the Council and Housing NZ have agreed on a limited number of viewshafts, in the table below, that are representative of the main issues between them. The Council and Housing NZ have proposed that some of the samples are examples of iconic viewshafts with broad effect; some are examples that may demonstrate Housing NZ's concerns with the development cost of viewshafts; and some are examples of the Council's position that viewshafts are generally of regional significance.

Viewshaft	Volcanic Cone
E10	Mount Eden (Maungawhau)
T01	Rangitoto (Te Rangi-i-Tongia-a-Tamatekapua)
W12	Mt Wellington (Maungarei)
A08	Mount Albert (Owairaka)
W26	Mount Hobson, Mount Eden, One Tree Hill
E11	Mount Eden (Maungawhau)

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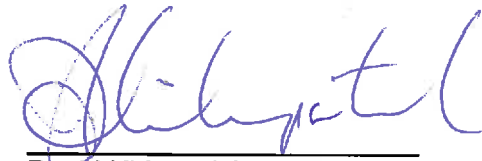
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3. The Panel appreciates that other submitters may wish to focus their submissions on viewshafts other than the examples agreed on by the Council and Housing NZ. Submitters may present evidence at the hearing commencing on 29 June 2015 regarding those viewshafts that are the subject of their submissions.
4. As well as the agreed examples, the Council and Housing NZ shall present a schedule of viewshafts, which identifies at least the following:
 - a. Those that constitute the top rank of significance (which the Chairperson understands number 14 or so);
 - b. Those that the Council accepts no longer merit identification and protection in the Plan (9 or so); and
 - c. Those that Housing NZ regard as having the greatest impact on its property portfolio (13 or so).
5. Housing NZ shall provide to the Council its assessment of the measured effect of the viewshafts on its property portfolio, measured in floor area. The Panel does not consider it necessary to attempt to convert this into dollar value, given the difficulties that the valuation exercise might create.
6. At the conclusion of the hearing of Topic 020 on 30 June 2015, the Panel will expect both Housing NZ and the Council to address it on the next steps that ought to be taken to address the remaining issues in the Topic, including:
 - a. how to address any further assessment of proposed viewshafts beyond the examples agreed on for the first hearing, which may include expert conferencing or mediation convened by Mr John Hudson;
 - b. whether the parties would be assisted by guidance from the Panel, either as to the text of the Plan or more generally as to any issues arising from the hearing;
 - c. what directions ought to be made for any resumed hearing of this topic.
7. Other parties who wish to address those next steps will be invited to do so at the hearing commencing on 29 June 2015.
8. The evidence dates for the upcoming hearing have been amended to reflect the changes detailed above:
 - a. Auckland Council's evidence is now due on **Monday, 25 May 2015**
 - b. All other submitters' evidence is now due on **Monday, 8 June 2015**
 - c. Rebuttal evidence is due on **Monday, 22 June 2015**.

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Dated at Auckland this 20th day of May 2015



David Kirkpatrick
Chairperson, Auckland Unitary Plan
Independent Hearings Panel