

IN THE MATTER of the Resource Management Act 1991 and the Local Government (Auckland Transitional Provisions) Act 2010

AND

IN THE MATTER of the Proposed Auckland Unitary Plan ("PAUP") and procedures established under the relevant legislation to address the submissions and further submissions processes in relation to the PAUP following notification of it by the Auckland Council

**MEMORANDUM OF COUNSEL ON BEHALF OF AUCKLAND COUNCIL
DATED 16 DECEMBER 2014**

MAY IT PLEASE THE PANEL:

1. INTRODUCTION

- 1.1 The purpose of this memorandum is to propose that the Independent Hearings Panel (**Panel**) convene a conference early in the New Year. The purpose of the proposed conference is to consider whether it is appropriate and desirable for the Panel to provide interim direction on the Regional Policy Statement (**RPS**) or alternatively interim (final) recommendations on the RPS at the conclusion of submissions on the RPS in the New Year.
- 1.2 The context in which this proposal is made includes:
- (a) The Panel has signalled it is turning its mind to the legal and practical implications for the Panel, but also for participants, of the above options, and may be seeking its own independent legal advice.
 - (b) Council understands that the Partners at Russell McVeagh have sent a paper for the Panel to consider, that sets out their views on the matter.
 - (c) There may well be different views on this matter and the approach taken may affect many parties.
- 1.3 In these circumstances, the Council considers that there would be benefit in the Panel convening a

conference early in the New Year so that sufficient notice is given to enable the Panel to hear from all interested parties who have an interest in this important procedural issue.

- 1.4 The Council respectfully proposes to provide a memorandum to the Panel setting out the options available, issues to be considered in weighing those options, and the Council's tentative view on the preferred option on or before 16 January 2015. The Council will consider other options that are put forward by the parties sufficiently in advance of that date.

2. DIRECTIONS SOUGHT

- 2.1 The Panel direct a conference of the parties on 27 January 2015, seeking the parties' views on the Panel providing interim directions on the RPS to the Council or providing interim (final) recommendations on the RPS to the Council, or any other alternatives that may be proposed by the parties.
- 2.2 The Council provide a memorandum to the Panel on the options available, issues to be considered in weighing those options, and the Council's view on the preferred option on or before 16 January 2015.
- 2.3 Other parties wishing to be heard at the conference in relation to this matter provide memoranda to the Panel on options, issues and preferences on or before 21 January 2015.

Dated 16 December 2014



K Anderson / C Faesenkloet
On behalf of Auckland Council