

24 March 2015

Phill Reid
Planning Manager
Auckland Unitary Plan Independent Hearings Panel
Private Bag 92300
Victoria Street West
Auckland 1142

Dear Mr Reid,

PROCEDURAL MINUTES 6 AND 7 UPDATE REGARDING THE MEDIATION AND HEARING PROGRAMME FOR SUBMISSIONS ON THE PROPOSED RURAL URBAN BOUNDARY (RUB)

Introduction

1. In the Pre-Hearing Meeting Report (**PHMR**) for hearing topic 017: RPS changes to the RUB 2: South¹, the **AUPIHP (the Panel)** determined that the hearings for 016 and 017 would not be heard in January/February 2015 and would instead be deferred until late 2015 or early 2016, with the timetable to be advised. The PHMR also noted the thinking of the Panel at the time that submissions relating to the RUB and rezoning could be heard at around the same time making reallocation of submissions between rezoning and RUB topics unnecessary. This letter requests the Panel consider the factors listed below in determining the work programme for mediating and hearing proposed changes to the RUB².
 - relationship between the scope of submissions and the RUB
 - interdependencies of topics and the sequence of topics
 - mediation and hearings
 - further work on the proposed RUB.

Relationship between the scope of submissions and the RUB

2. A number of submission points coded to topics 016 and 017 are requests for urban zones in the proposed Future Urban Zone (FUZ) that are a separate matter to the location of the RUB. As these submission points do not seek to retain or alter the location of the RUB and rather, seek to rezone a property to an urban zoning rather than FUZ, the Council considers that they would be better dealt with as rezoning requests rather than as part of topics 016 and 017. There are also a number of submissions coded to rezoning that would alter the RUB if accepted. A list of such submissions and further submissions from the AUPIHP Submission Points Pathway reports for topics 016 and 017 is appended to this letter to assist with reallocating these, should the Panel agree with this suggested approach.

¹ IHP file reference *017-PHMR-2014-10-28*

² This letter is about the programming of work related to topics 016 and 017 and does not address the Panel's Interim Guidance on sections B2.1, B2.3 and B2.5 of the PAUP.

Interdependencies of topics and the sequence of topics

3. Mediation and the evidence on the physical extent of the RUB will involve issues (such as regional issues of business and residential land supply) and evidence (such as landscape evidence and transport evidence) that will in many cases not be involved in considering the contents of rezoning and/or precincts which relate to unique site specific issues. Hearing and mediating submissions affecting the RUB separately from rezoning and precincts will maximise the efficient use of the resources of submitters, the Council and the Panel.
4. The Council wishes to set out an overview of urban development opportunities and land supply proposals for each part of the region as part of its case on the RUB. This will be difficult if the consideration of submissions on the RUB were to be spread across a series of small location based mediations and hearings covering RUB, rezoning and other related topics.
5. The Council acknowledges that combining mediations and hearings for the RUB with rezoning (and possibly with precincts) may be an efficient approach where there are few submission points relating to the specific location, and where the issues in contention and parties involved are largely the same. Where this approach is preferred by the Panel, it is requested that the Panel still allow for a sequence of work to be prepared and presented starting at a wide (strategic overview) level before moving to more focussed (site specific) matters.

Mediation and Hearings

6. The Council supports the statements in the memo from the Panel to John Duguid, dated 26 February 2015 regarding Re-zoning and Precincts³, which favours an active role being undertaken by Auckland Council in progressing submissions, and programming work to allow for pre-hearings, consideration of progress reports and the use of ADR techniques to promote efficiencies in process and the participatory opportunities for submitters. Taking a similar approach with the submissions on the RUB is also considered desirable.
7. In support of this approach, the Council suggests having mediation and any expert conferencing on the RUB some time in the third quarter of this year with the hearings at the end of 2015 or early 2016. It is suggested that avoiding having an exchange of evidence on topics 016 and 017 following immediately after the completion of mediation and any expert conferencing will promote efficiencies and participation.

Further work on the proposed RUB

8. The Council is mindful that it has provided comments to the Panel and to participants in mediation on the Urban Growth provisions of the RPS (IHP 013), including the proposed explanation and reasons for B2.5 of the PAUP, stating that further work will be carried out to evaluate and propose a RUB around towns and serviced villages. Subsequent analysis of the scope of submissions on the proposed RUB suggests that there are relatively few locations where submissions provide scope to recommend what Council may consider a suitable long term RUB.

³ IHP file reference *PM#6 & Rezoning and Precincts 2015-02-26*

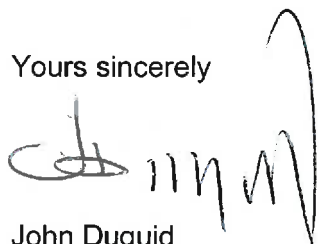
9. The Council is preparing to provide evidence to assist the Panel in responding to submissions on the RUB which will include recommending a RUB for towns and serviced villages where this is thought to lie within the scope of submissions.

Conclusion

10. Following the receipt of this letter we respectfully request that the Panel provide confirmation of its approach to the reallocation of submissions as we have suggested in paragraph 2 above, and to the timing and sequencing of mediation and hearings incorporating a manageable progression through the related topics and work.

If you have any queries, please contact myself or Celia Davison, Team Leader Unitary Plan on email john.duguid@aucklandcouncil.govt.nz or celia.davison@aucklandcouncil.govt.nz

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Duguid', with a large, sweeping flourish extending upwards and to the right.

John Duguid
Manager Unitary Plan

