

**Before the Auckland Unitary Plan  
Independent Hearings Panel**

**TOPIC 005 – RPS ISSUES**

**AND**

**TOPIC 016 – RPS  
CHANGES TO THE RUB 1**

**In the matter** of the Resource Management Act 1991 and the Local Government Act (Auckland Transitional Provisions) Amendment Act 2010

**And**

**In the matter** of Submissions and Further Submissions lodged on the Proposed Auckland Unitary Plan (“PAUP”), notified 30 September 2013

**Regarding** Topics 005 – RPS Issues and 016 – RPS Changes to the RUB 1

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**Memorandum of Counsel of behalf of  
Submitters 4474,4288, 4173, 5264  
and further submitters 2074, 2128, 2058, 3659, 1992**

Dated: 1 October 2014

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## **MAY IT PLEASE THE HEARINGS PANEL**

1. This memorandum is lodged on behalf of:
  - a. Strategic Property Advocacy Network Incorporated, being submitter 4474 and further submitter 2074 (“SPAN”);
  - b. Waitakere Park Property Partnership and Auckland Waitakere Estate, being submitter 4288 and further submitter 2128 (“WPP”);
  - c. H Nevill-Jackson, being submitter 4173 and further submitter 2058 and 3659 (“Mr Nevill-Jackson”); and
  - d. Oratia Foothills Limited, being submitter 5264 and further submitter 1992 (“OFL”)
2. The above submitters, collectively referred to as “the submitters” in this memorandum are concerned by two issues:
  - a. Firstly, the evidence of the Council filed on 30 September 2014 in respect of topic 005 – RPS Issues, in particular the evidence of Ms Jenny Fuller, which proposes amendments to text of the PAUP B1.3, being the provisions relating to the Waitakere Ranges Heritage Area; and
  - b. Secondly, the proposal that topic 016 – RPS Changes to the RUB 1, is to proceed to hearing without mediation or expert conferencing.

### **Topic 005 – Council Evidence**

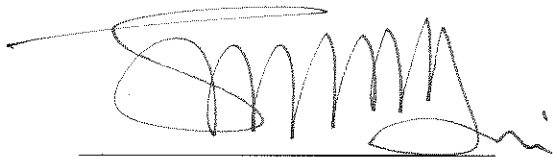
3. The submitters have an interest in the Waitakere Ranges Heritage Area. They have made submissions and further submissions on the PAUP in respect of the Waitakere Ranges provisions.
4. The Council evidence, in particular the evidence of Ms Jenny Fuller, proposes changes to the Regional Policy Statement (“RPS”), specifically those provisions relating to the Waitakere Ranges, at section 19 and Attachment “B” of the statement of evidence filed on 30 September 2014.
5. The amendments proposed by the evidence are, in the submitters’ view, capable of being mediated to better reflect the matters raised in the submissions and further submissions of the submitters named above, along with other submitters.
6. On the basis of the aforementioned, the submitters respectfully request that the amendments introduced in the evidence of the Council through its witness Ms Fuller should either be:

- a. the subject of mediation to enable all persons who made submissions on the wider provisions relating to the Waitakere Ranges to respond to the proposed amendments, or
- b. the amendments should be considered with Topic 075 which specifically deals with the Waitakere Ranges, and set down for mediation and hearing as a sub-topic within Topic 075.

**Topic 016**

7. The Topic 016 – RPS Changes to the RUB 1 have been set down for hearing in January and February 2015. A pre-hearing meeting is proposed on 15 October 2014.
8. The submitters are concerned that this matter has been set down for hearing without recourse to mediation or expert conferencing.
9. The submitters' interest in this topic relates to that part of the Rural Urban Boundary ("RUB") that is proposed on the boundary of the Waitakere Ranges Heritage Area.
10. The concern of the submitters is that the location of the RUB, as it relates to the Waitakere Ranges Heritage Area, is capable of being mediated so that a narrower range of issues needs to be heard.
11. Of concern to the submitters is that some parts of the RUB are at edge of the urbanised part of the Waitakere Ranges Heritage Area in particular Henderson, Glen Eden and Swanson. Some of the areas of concern are not located in the foothills or the ranges themselves.
12. On the basis of the aforementioned, the submitters respectfully request that the Topic 016 – RUB 1, so far as it relates to the Waitakere Ranges Heritage Area, in particular Henderson, Glen Eden and Swanson:
  - a. be set down for mediation on its own, or
  - b. included as a sub-topic within the Topic 075 – Waitakere Ranges and be set down for a mediation with that topic.

**Dated:** 1 October 2014



**Setareh S Masoud-Ansari**  
Counsel for aforementioned submitters