

**27 April 2016**

To: The Auckland Unitary Plan Independent Hearings Panel

From: Auckland Council

**Subject: Further update on Framework Plan provisions**

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### **Introduction**

1. The Auckland Council (**Council**) refers to the recent Procedural Minute #14 issued by the Chairperson of the Independent Hearings Panel (**Panel**) on 22 April 2016 in relation to "Hearings Process for Topics 080 and 081 Rezoning and Precincts" (**Procedural Minute**).
2. The Council is grateful to the Panel for its prompt reply and comments set out at points 1, 2 and 3 of the Procedural Minute. The Council responds as follows:
  - a. The Council is aware that the hearing of submissions on re-zoning and precincts is scheduled to conclude this week, and that some precinct submitters may want to participate in the consideration of any revised "Framework Consent" provisions by way of reconvened hearings on certain precincts. However the Council remains of the view that the revisions will be mostly technical, so that the framework consent provisions give effect to the Chapter G and Chapter K provisions recently approved by the Environment Court. The Council cannot continue to support the notified precinct provisions for "framework plans" given the Environment Court's Interim Decision which declined to issue declaratory order A. Given that submitters will be able to provide written feedback to the Panel on the Council's revisions, there should be no need for rescheduled or reconvened hearings, particularly as submitters on those relevant precincts have already been heard by the Panel.
  - b. While acknowledging that the issues addressed at points 2 and 3 of the Procedural Minute could be considered relatively broad, and potentially interconnected, the Council considers that those issues, and the provisions relating to development benefits, land use consents and rules applying to those land use consents, have already been addressed before the Panel as part of the Topic 080 and 081 hearings. To the extent that certain revised provisions have not been previously addressed, the Council will provide an explanation for them.

### **Further steps in relation to the framework consent provisions**

3. The Council proposes to continue to complete the required revisions to the Chapter K provisions arising from the Environment Court's Final Decision on the declaration proceedings for the precincts that provide for framework consents and will file those revised provisions with the Panel by Friday, 13 May 2016. Where the relevant precinct has been addressed in the Topic 081 hearing, the revised provisions will be included with the Council's Topic 081 Closing Remarks. The Council will serve a copy of the revised provisions directly on all submitters who attended the relevant precinct hearings, either as part of Topic 080 or Topic 081.
4. The Council will separately file the proposed Chapter G provisions with the Panel by way of a memorandum for Topic 004 – Chapter G.

5. To the extent that any explanation for the revisions is required, the Council will provide that explanation by a further memorandum to the Panel.

**M Dickey / D Hartley / J Caldwell**  
**Counsel for Auckland Council**