

IN THE MATTER of the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER **Intensification Planning Instrument Plan Change (IPI) Plan Change 78 - to the Auckland Unitary Plan - Operative in Part (AUP)**

DECLINING A LATE SUBMISSION FROM PAUL O HEINTZE AND JOELENE J HEINTZE, 2/11 MILFORD ROAD, MILFORD - RE PLAN CHANGE 78.

1. Plan Change 78 (PC78) was notified on 18 August 2022, with the submission period closing on 29 September 2022. The Hearing Panel issued a direction dated 25 October 2022 accepting late submissions up until 20 October 2022. The Summary of Decisions Requested was notified for further submissions on 5 December 2022 and closed on 20 January 2023. The Hearing Panel issued a direction on 31 January 2023 accepting all late further submissions until 27 January 2023.
2. The Panel directed that submissions and further submissions beyond the extension dates set by the Hearing Panel would require a waiver.
3. The Panel has received a waiver request Paul O Heintze and Joeline J Heintze requesting an extension of time to put in a submission to PC78 responding to a further submission on an adjacent property.
4. Under clause 98(3), Part 6 of Schedule 1 and section 37 (and for the reasons set out in section 37A) of the RMA, the IHP has the ability to accept or reject any late submissions.
5. The Panel declines the Heintzes' waiver request. It is the Panel's view that accepting a request nearly two years after the closing date for further submissions and after the hearings have commenced could prejudice other parties to PC78.
6. The Panel also notes that the process does not allow someone to lodge a submission on a further submission and that accepting a late submission of this nature would compromise the process.
7. Any enquiries regarding this Direction, or related matters, should be directed to the Council's Senior Hearing Advisor, Mr Sam Otter by email at npsudhearings@aucklandcouncil.govt.nz



Matthew Casey KC, Chair
19 December 2024